ADUR DISTRICT COUNCIL

Mr Mark Plowman
1 Frampton Place
Shoreham By Sea
West Sussex
BN43 5SF

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0442/20

Details of Development
ERECTION OF DETACHED TWO-STOREY FLAT ROOFED THREE BEDROOM HOUSE WITH 2NO. CAR PARKING SPACES AT THE FRONT((AMENDMENT TO PLANNING PERMISSION AWDM/1263/18). AMENDMENTS INCLUDE 'SQUARING OFF' REAR ELEVATION, INCREASED PROJECTION OF FRONT ELEVATION AND SUBSEQUENT REDUCTION IN DEPTH OF FRONT BALCONY, RELOCATION OF ENTRANCE DOOR TO WEST SIDE, REMOVAL OF REAR PARKING SPACES, REMOVAL OF SIDE PROJECTIONS, CONSTRUCTION OF EXTENSION TO SIDE OF EXISTING GARAGE TO FORM HOBBY ROOM.

Location of Development
LAND BETWEEN 41 AND 45 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 13th March 2020.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Gary Peck
Planning Services Manager
07/05/2020

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice:-

Reference/Drawing Number	Version	Date Rec
PROPOSED ELEVATIONS	MP/001-A3-PP01 rev B	09.04.2020
PROPOSED ROOF PLAN	MP_001-A3-PP04 REV B	09.04.2020
LOCATION PLAN	VL/230-A3-PP01 rRev B	31.03.2020
FIRST FLOOR PLAN PROPOSED	MP/001-A3-PP03 Rev A	13.03.2020
GROUND FLOOR PLAN PROPOSED	MP/001--A3-PP02 Rev A	13.03.2020
BLOCK PLAN PROPOSED	MP/001-A3-PP05 Rev A	13.03.2020
SITE PLAN EXISTING	VL/230-A3-PP02 Rev A	13.03.2020
GARAGE PLAN - PROPOSED	MP/006-A3-PP04 Rev A	24.03.2020

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety and having regard to policy 28 of the Adur Local Plan.*

04. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policies 15 and 28 of the Adur Local Plan.*

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05. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car having regard to policy 28 of the Adur Local Plan.*

06. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 3549, December 2017, Ambiental) and the following mitigation measures it details:

o Finished floor levels shall be set no lower than 300 millimetres above ground level.
o There shall be no sleeping accommodation located on the ground floor.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants having regard to Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and policy 36 of the Adur Local Plan.*

07. No development above slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans and details of the positions, design, materials and types of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the building is occupied. Thereafter the approved boundary treatment shall be retained permanently.

Reason: *In the interests of visual amenity and having regard to policy 15 of the Adur Local Plan.*

08. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the Air Quality Management Areas.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,

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- the provision of wheel washing facilities and other works required to mitigate
- the impact of construction upon the public highway (including the provision of
- temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site.

Reason: order to consider the potential impacts on the amenity of nearby occupiers and on highway safety during construction having regard to policy 34 of the Adur Local Plan.

09. No demolition or construction works shall take place at any time other than between the hours of 8am and 6pm Monday-Friday and 9am and 1pm Saturdays. There shall be no working on Sundays and Public Holidays.

Reason: *In the interest of amenity having regard to policies 15 and 34 of the Adur Local Plan.*

10. No works or development above slab level shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

11. No development above slab level shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any Order revoking and re-enacting that Order with or without modification) no development under Classes A or B, nor any outbuildings under Class E of more than 10 cubic metres, shall be erected or carried out unless approved by way of a planning permission granted.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.*

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13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any Order revoking and re-enacting that Order with or without modification) no windows or other openings (other than those shown on the approved plans) shall be formed in the east or west side walls of the dwelling.

    Reason: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan.*

14. The windows in the east and west side walls, and those on the rear elevation shown as serving a hallway and bathroom, of the dwelling hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.

    Reason: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan.*

15. No development above slab level shall be carried out unless and until details of the screens at the sides of the proposed balcony have been submitted to and approved in writing by the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to commencement of use of the balcony and shall thereafter be retained.

    Reason: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan.*

16. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

    Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

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17. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.

    No dwelling shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

    Reason: *In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and to increase the sustainability of the development and make efficient use of water in accordance with policy 18 of the Adur Local Plan.*

18. The extension to the garage hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the property as a whole (as it exists at the date of this permission) as a single dwellinghouse and shall not be used as a separate dwelling.

    Reason: *In the interests of residential amenity having regard to policy 15 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our

requirements for avoiding pre-commencement conditions, or to discharge conditions.

03. A formal application for connection to the public sewerage system is required in order to service this development. Please read New Connections Services Charging Arrangements documents which has now been published and is available to read on the Southern Water website via the following link southernwater.co.uk/infrastructure-charges
The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.
It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,
West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: developerservices@southernwater.co.uk

04. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission goes not guarantee that a vehicle crossover license shall be granted. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/

05. The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

06. Precautionary land contamination

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing

before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

07. The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

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YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision relates to a householder application or minor commercial application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to express consent for the display of an advertisement, then you must do so within 8 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990..

7. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

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Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).