ADUR DISTRICT COUNCIL

Neal Thompson
Robinson Escott Planning
Downe House
303 High Street
Orpington
BR6 0NN
UK

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS, 1992

APPLICATION NUMBER: AWDM/2068/21

Demolition of existing garages, proposed 7no. dwellings within two blocks with 16 parking spaces, access off Gravelly Crescent

Garage Compound Gravelly Crescent Lancing West Sussex

In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under Regulation 3 of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 22nd November 2021.

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

G Peck

Gary Peck
Planning Services Manager
21/12/2022

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
DESIGN & ACCESS STATEMENT	October 2021	22.11.2021
PLANNING & SUSTAINABILITY STATEMENT	October 2021	22.11.2021
STATEMENT OF COMMUNITY INVOLVEMENT	September 2021	22.11.2021
TRANSPORT NOTE	December 2020	22.11.2021
PRELIMINARY ROOST ASSESSMENT	UE408 October 2021	22.11.2021
AQUACELL CORE-R	Technical Details	22.11.2021
ENERGY STATEMENT REPORT	XX-RP-MEP-2901 Rev P03	22.11.2021
EXISITNG LOCATION & BLOCK PLAN	YO415-030	22.11.2021
EXISTING SITE PLAN	YO415-034 A	22.11.2021
WEST BLOCK ELEVATIONS	YO415-230 B	22.11.2021
EAST BLOCK ELEVATIONS	YO415-231 A	22.11.2021
EXISTING SITE SECTION	YO415-330	22.11.2021
PROPOSED SITE SECTION	YO415-331	22.11.2021
PROPOSED SITE PLAN	YO415-035 B	19.12.2022
PROPOSED LOCATION & BLOCK PLAN	YO415-031 A	24.08.2022
GROUND FLOOR PLAN	YO415-130 A	24.08.2022
FIRST FLOOR PLAN	YO415-131 A	24.08.2022
TURNING HEAD SWEPT PATH ANALYSIS	R-20-0068-015	24.08.2022
SUSTAINABLE DRAINAGE & FLOOD RISK ASSESSMENT October 2022	15945/03/HOP/ SUDS v2.0	20.10.2022

Reference/Drawing Number	Version	Date Rec
APPENDIX D INFILTRATION & GROUNDWATER REPORT (SuDs)	R15180	20.10.2022
DRAINAGE STRATEGY	HOP-03-XX-DR-C-09100 P10	10.08.2022
APPENDIX D INFILTRATION & GROUNDWATER REPORT (SuDs)	R15180	10.08.2022

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 the vehicle parking spaces have been constructed in accordance with plans and details submitted to and approved by the LPA.

Reason: *To provide adequate on-site car parking space for the development.*

04. 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 LPA.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

05. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

Reason: *To provide EVC charging points to support the use of electric vehicles in accordance with current national sustainable transport policies.*

06. 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.

The approved Plan shall be implemented and adhered to throughout the construction period. The Plan shall provide the following details as a minimum:

- the anticipated number, frequency and types of vehicles used during construction;
- 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;
- 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.

Reason: *In the interests of highway safety and the amenities of the area.*

07. 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 the site is adequately drained.*

08. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure that adequate maintenance and management of the surface water drainage system.*

09. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To ensure that any contamination risks identified on the site are adequately identified and mitigated.*

10. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) ('Sustainable Drainage & Flood Risk Assessment, Ref: 15945/03/HOP/SUDS, dated October 2022, V2.0, by HOP Consulting Limited) and the following mitigation measures detailed within the FRA:

- Internal access to the upper storey of the blocks/buildings is to be maintained for the lifespan of the development and all sleeping accommodation is to be located on the First Floor and above, except for one unit providing a wheelchair accessible, level access bungalow dwelling (sections 5.4 & 5.5 of the FRA).

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To ensure adequate mitigation measures are provided in an area at risk of flooding.*

11. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the northern and southern walls of the approved dwellings.

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

12. No works or development 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: *To ensure adequate landscaping is provided.*

13. No development 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.*

14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended [or any incidental building over 5 cubic metres in volume erected within its curtilage].

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.*

15. The hours of construction to implement the development hereby permitted shall be limited to 0900 to 1700 hours Monday to Friday, 0900 hours to 1300 hours on Saturday and there shall be no working on Sundays or Bank/Public Holidays.

Reason: *In the interests of the amenities of neighbouring properties.*

16. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: *To ensure adequate means of foul sewerage and surface water disposal.*

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.

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TOWN AND COUNTRY PLANNING ACT 1990

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.

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).