ADUR DISTRICT COUNCIL

Mrs Paula Philip
pphilip architectural design
26 Clarendon Road
Worthing
West Sussex
BN14 8QJ

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1609/18

Details of Development
DEMOLITION OF NORTH SIDE OF EXISTING DWELLING AND GARAGE TO CREATE A SITE FOR A NEW TWO STOREY 4 NO.BEDROOM DETACHED DWELLING WITH BASEMENT PARKING AND 1ST FLOOR REAR BALCONY

Location of Development
38 MILL HILL SHOREHAM-BY-SEA WEST SUSSEX BN43 5TH

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 25th October 2018.

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
18/12/2018

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
LOCATION PLAN	Drwg 1014_001 Rev A	25.10.2018
SITE PLAN	Drwg 1014_100 Rev A	25.10.2018
SITE PLAN	Drwg 1014_101 Rev A	25.10.2018
EXISTING BLOCK PLANS	Drwg 1014_110	25.10.2018
PROPOSED BLOCK PLANS	Drwg 1014_111 Rev A	25.10.2018
PROPOSED PLANS	Drwg 1014_201 Rev A	25.10.2018
EXISTING STREET ELEVATION	Drwg 1014_300 Rev A	25.10.2018
PROPOSED STREET ELEVATIONS	Drwg 1014_301	25.10.2018
PROPOSED ELEVATIONS	Drwg 1014_302	25.10.2018

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 development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows and doors) and roofs of the proposed buildings 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.*

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04. No construction above slab level shall take place until details of a privacy screen to be erected at the side of the proposed rear balcony has been submitted to and approved in writing by the Local Planning Authority. The screen 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.*

05. 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 (other than as hereby approved) shall be formed in the north and south side walls of the existing and proposed dwellings.

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

06. The windows in the side elevations 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.*

07. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or altered by means of any development as set out within Class A of Part 1 of the Schedule to that Order.

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.*

08. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction; and
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

09. No construction or works of demolition shall take place on site other than during the following hours:

8am-6pm Monday-Friday
8.30am-1pm Saturdays
No working on Sundays or Public Holidays

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

10. The development hereby permitted shall not be commenced until details of the proposed means of disposal of surface water from the development have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.

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

11. 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 the approved plan

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

12. No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained and the turntable maintained at all times for its designated use.

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

13. 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.*

14. 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 to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car in accordance with policy 28 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Vehicle Crossover - Minor Highway Works
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 does not guarantee that a vehicle crossover licence 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-application-form/

03. A demolition notice should be submitted to the Council's Environmental Health section prior to the commencement of demolition works on site.

04. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

05. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

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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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

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.

7. 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.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. 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.

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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).