ADUR DISTRICT COUNCIL

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UK

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0827/22

Details of Development
DEMOLITION OF EXISTING GARAGES; ERECTION OF 9NO. DWELLINGS AND ASSOCIATED WORKS

Location of Development
GARAGE BLOCK 88 TO 97 DANIEL CLOSE LANCING 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 16th May 2022.

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
06/12/2022

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
SUSTAINABLE DRAINAGE & FLOOD RISK ASSESSMENT October 2022	15945/02/HOP/SUDS v2.0	20.10.2022
APPENDIX D INFILTRATION & GROUNDWATER REPORT	R15182	20.10.2022
SWEPT PATH ANALYSIS	R-20-0068-SK01	05.09.2022
DRAINAGE STRATEGY PLAN	02-XX-DR-C-09100 P13	08.08.2022
DESIGN & ACCESS STATEMENT	18 October 2021	16.05.2022
PLANNING & SUSTAINABILITY STATEMENT	May 2022	16.05.2022
ENERGY STATEMENT	Rev P04	16.05.2022
PRELIMINARY ROOST ASSESSMENT	UE0408	16.05.2022
STATEMENT OF COMMUNITY INVOLVEMENT	September 2021	16.05.2022
TRANSPORT NOTE	23 December 2020	16.05.2022
EXISTING LOCATION & BLOCK PLAN	YO415-020	16.05.2022
PROPOSED LOCATION & BLOCK PLAN	YO415-021	16.05.2022
EXISTING SITE PLAN	YO415-024	16.05.2022
PROPOSED SITE PLAN	YO415-025	16.05.2022
GROUND FLOOR PLAN	YO415-120 Rev B	16.05.2022
FIRST FLOOR PLAN	YO415-121 Rev B	16.05.2022
SOUTH BLOCK ELEVATIONS	YO415-220 Rev B	16.05.2022
NORTH BLOCK ELEVATIONS	YO415-221	16.05.2022
EXISTING SITE SECTION	YO415-320	16.05.2022
PROPOSED SITE SECTION	YO415-321	16.05.2022

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 be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: *To avoid undue congestion of the site and consequent obstruction to access.*

07. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (dated 10/08/2022, v1.8, Ref: 15945/02/HOP/SUDS) and the following mitigation measures it details:

- Finished floor levels have not been confirmed within the submitted FRA, however the first floor levels must be set no lower than 5.7 metres above Ordnance Datum (AOD) to allow safe refuge above design flood levels.
- 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.*

08. 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.*

09. 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 adequate maintenance and management of the surface water drainage system.*

10. 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 eastern and western walls of the approved dwellings.

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

11. No works or development shall take place until full details of all hard and soft landscaping works (including the provision of bollards protecting the triangular green space) 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.*

12. 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 roofs of the proposed buildings have 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.*

13. 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 dwellings 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.*

14. 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.*

15. 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 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. Section 278 Agreement of the 1980 Highways Act - Works within the Highway

The applicant is advised to enter an S278 legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. As part of these works it will also be necessary to apply for a street works license from the Street Works team (street.works@westsussex.gov.uk). The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence the S278 process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

03. 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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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).