ADUR DISTRICT COUNCIL

Stickland Wright
4 Gloucester Passage
Brighton
BN1 4AS

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1863/22

Details of Development
PROPOSED 2NO. ONE BEDROOM AND 2NO. TWO BEDROOM APARTMENTS SET OVER THREE STOREYS WITH SOUTH FACING BALCONIES

Location of Development
LAND SOUTH OF 35 TO 37 HIGH STREET 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 24th January 2023.

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
30/06/2023

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	19117A-P-103 F	27.06.2023
PROPOSED GROUND & FIRST FLOOR PLANS	19117A-P-101 F	31.05.2023
PROPOSED SECOND FLOOR & ROOF PLANS	19117A-P-102 F	31.05.2023
PROPOSED SECTIONS	19117A-P-104 D	31.05.2023
PART O - OVERHEATING CALCULATOR	30.05.2023	31.05.2023
ENERGY STATEMENT TEMPLATE		24.01.2023
NOISE ASSESSMENT		24.01.2023
LOCATION & BLOCK PLAN	19117A-P-001 A	24.01.2023
EXISTING SITE PLAN	19117A-P-010 A	24.01.2023
EXISTING ELEVATIONS	19117A-P-011 A	24.01.2023
PROPOSED SITE PLAN	19117A-P-100 B	24.01.2023
DAYLIGHT REPORT	REV P03	24.01.2023
FLOOD RISK ASSESSMENT	89595-Stickland-HighSt v3	24.01.2023
FLAT 1 COMPLIANCE REPORT	BASELINE, EE & RE	24.01.2023
FLAT 2 COMPLIANCE REPORT	BASELINE, EE & RE	24.01.2023
FLAT 3 COMPLIANCE REPORT	BASELINE, EE & RE	24.01.2023
FLAT 4 COMPLIANCE REPORT	BASELINE, EE & RE	24.01.2023
SAP WORKINGS		24.01.2023
DESIGN & ACCESS STATEMENT		24.01.2023
AIR QUALITY IMPACT ASSESSMENT	AQIA-202000001	24.01.2023

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. The development shall be carried out in accordance with the submitted Flood Risk Assessment ('FRA') (dated November 2022, ref: 89595-Stickland-HighSt v3, by Unda Consulting Limited) and the following mitigation measures it details:

- Finished floor levels for the apartment accommodation shall be set no lower than 6.10m above Ordnance Datum (AOD) (as per section 6.3 of the FRA and drawing no: 19117A-P-101-B).

- This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measure 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 the 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*

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 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 current sustainable transport policies.*

05. 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.*

06. 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 drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

07. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-
Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *In the interests of residential amenity having regard to policy 34 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. The development shall be carried out in accordance with the approved Management Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

a) the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA;
b) the method of access and routing of vehicles during construction;
c) parking of vehicles of site operatives and visitors;
d) loading and unloading of plant, materials and waste;
e) a commitment to no burning of waste material on site;
f) storage of plant and materials used in constructing the development;
g) the erection and maintenance of security hoarding;
h) 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);
i) measures to control the emission of dust and dirt during construction;
j) details of public engagement both prior to and during construction works;

Reason: *In the interests of highway safety and amenity having regard to policies 28 and 34 of the Adur Local Plan.*

09. The development hereby permitted shall be carried out in full accordance with the recommendations of the Planning Noise Assessment report dated 7 December 2022 and all works which form part of the approved scheme shall be completed before the building is occupied.

Any MVHR systems used within the development shall be acoustically treated and shall include a summer bypass to prevent overheating. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise and certification to confirm this shall be provided to the local planning authority prior to the first occupation of the development.

Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

10. The sustainability and energy efficiency measures set out in the energy statement shall be fully implemented and completed prior to first occupation of the building.

Reason: *In the interests of sustainability and to comply with policies 18 and 19 of the Adur Local Plan.*

11. The PV panels shall be installed in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to their installation.

Reason: *In the interests of sustainability and visual amenity having regard to policies 15, 17, 18 and 19 of the Adur Local Plan.*

12. No development above slab level shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows, doors, balcony railing details and details of textured brickwork) 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 details.

Reason: *In the interests of visual amenity and to comply with policies15 and 17 of the Adur Local Plan.*

13. No development shall take place until details of the proposed method of build over the substation has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: *To ensure that a structural pathway for low frequency noise or vibration is avoided in the interests of residential amenity having regard to policy 34 of the Adur Local Plan.*

14. The building shall not be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the approved plans.

    Reason: *In the interests of amenity and to comply with the West Sussex Waste Local Plan.*

15. The windows in the north elevation of the building hereby approved shall be obscure-glazed and non-opening 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.*

16. The development hereby permitted shall not be occupied until boundary walls and/or fences have been erected in accordance with details that have been first submitted to and approved in writing by the local planning authority.

    Reason: *In the interest of visual amenity having regard to policies 15 and 17 of the Adur Local Plan.*

17. No 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.

    Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 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. You are advised to contact and liaise with UK Power Networks to ensure that appropriate protective measures and mitigation solutions are agreed for works close to the substation. A Party Wall Notice should be sent to UK Power Networks, Newington House, 237 Southwark Bridge Road, London, SE1 6NP before any works commence on site.

03. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
    To make an application visit Southern Water's Get Connected service:

developerservices@southernwater.co.uk and please read their New Connections Charging Arrangements documents which are available on their website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

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:
SouthernWaterPlanning@southernwater.co.uk

04. 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.

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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://www.gov.uk/appeal-planning-decision.

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).