ADUR DISTRICT COUNCIL

Mr Brian Moore
The Studio
19 Old Patcham Mews
Brighton
East Sussex
BN1 8YW

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1318/23

Details of Development
PROPOSED ATTACHED THREE STOREY DWELLING WITH SAME RIDGE HEIGHT AS NO.94 PLUS 2NO. PARKING SPACES (AMENDED RESUBMISSION OF AWDM/1519/22)

Location of Development
94 BRIGHTON ROAD LANCING WEST SUSSEX BN15 8LW

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 10th October 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
08/05/2024

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
DRAINAGE STATEGY STATEMENT 23 February 2024	Ref : 24005	23.02.2024
CONCEPTUAL DRAINAGE CALCULATIONS Feb 24	24005 CA-D-0750-S4 P01	23.02.2024
NOISE ASSESSMENT	10438A v2.1	06.11.2023
DESIGN & ACCESS STATEMENT		10.10.2023
SURVEY SECTIONS AS EXISTING	Drg 01 A	10.10.2023
EXISTING PLANS & LOCATION PLAN	Drg 02 G	10.10.2023
PROPOSED FRONT (N) ELEVATION, SECTION, FLOOR & ROOF PLANS	Drg 16 B	10.10.2023
PROPOSED SIDE (W) & REAR (S) ELEVATION, BLOCK AND SECTIONAL PLAN	Drg 17 B	10.10.2023
FLOOD RISK ASSESSMENT	2021/15 Revised Issue 1	10.10.2023

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. 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.*

04. 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:-

(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 28 and 34 of the Adur Local Plan.*

05. The development hereby permitted shall be carried out in full accordance with the recommendations of the Noise Assessment (ref: 10438A v 2.1 Dated 26/09/2022) and all works which form part of the approved scheme (including roof construction, acoustic glazing and MVHR) shall be completed before the permitted dwelling is occupied. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and do not exceed the levels specified in BS8233:2014.

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

06. 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: *To safeguard residential amenity having regard to policies 15 and 34 of the Adur Local Plan.*

07. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms, and a construction method statement, in accordance with the submitted and approved Drainage Statement (ref 24005, dated 23rd February 2024) and calculations (ref CA-D-0750-S4, dated February 2024), shall be submitted to and approved in writing by the Local Planning Authority. The scheme

shall then be constructed, utilising attenuation to achieve post development runoff rates of 3.5l/s as per the agreed drainage strategy statement and shall remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: *To ensure that the development achieves a high standard of sustainability and to comply with policy 36 of the Adur Local Plan*

08. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

i) Details of the proposed SuDS features, including a drawing of where they're located, and their design life.
ii) Details of the maintenance requirements for the proposed features.
iii) A maintenance plan for the lifetime of the development.

Reason: *To ensure that the development achieves a high standard of sustainability and to comply with policy 36 of the Adur Local Plan.*

09. Prior to the first use of the development, a detailed verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), installation of any surface water drainage structures and control mechanisms.

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for the new dwelling and not increased in accordance with policy 36 of the Adur Local Plan.*

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

Reason: *To prevent pollution of the water environment by ensuring the necessary infrastructure is in place, in compliance with policies 29 and 35 of the Adur Local Plan.*

11. The development shall be carried out in accordance with the submitted flood risk assessment and plans (ref: Revised Stage 1 Flood Risk Assessment. Land adjoining 94 Brighton Road, Lancing, West Sussex BN15 8LW', by A. C. Rollings, dated October 14, 2021) and the following mitigation measures it details:

    - Sleeping accommodation is to be located on the second floor (7.2 m AOD) (sections 4.3 & 9.4 of the Flood Risk Assessment, and as shown in the plans).

    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 in accordance with 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.*

12. 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 policy 28 of the Adur Local Plan.*

13. 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.*

14. 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 Classes A, AA, B, C, D and E 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.*

15. The dormer window in the west side roofslope of the dwelling hereby approved 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 it shall not subsequently be altered in any way.

    Reason: *To prevent overlooking and to comply with 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 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. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Area Highway Manager (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Ref: AWDM/1318/23

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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).