ADUR DISTRICT COUNCIL

Mr Chris Barker
ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0337/18

Details of Development
DEMOLITION OF FIRE DAMAGED DWELLING AND ERECTION OF A REPLACEMENT 5-BEDROOM DWELLING AT 4 OLD SHOREHAM ROAD, RETENTION OF EXISTING DWELLING AT 6 OLD SHOREHAM ROAD AND ERECTION OF 2 NO. 4-BEDROOM DWELLINGS. CLOSURE OF EXISTING SITE ACCESS FROM A27 ROUNDABOUT AND CREATION OF A NEW ACCESS ROAD FROM OLD SHOREHAM ACCESS ROAD AND ASSOCIATED VEHICLE PARKING AND LANDSCAPING

Location of Development
6 OLD SHOREHAM ROAD LANCING WEST SUSSEX BN15 0QT

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 7th March 2018.

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

GPeck

Gary Peck
Planning Services Manager
20/05/2019

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
FLOOD RISK ASSESSMENT ADDENDUM	March 2019	14.03.2019
FLOOD RISK ASSESSMENT ADDENDUM	April 2019	08.04.2019
PROP SITE & A27 ACCESS ARRANGMENT	Drg 120	11.04.2018
LOCATION PLAN AND SITE SURVEY	Drg LOC Rev C	07.03.2018
SITE PLAN AS PROPOSED	Drg 0001 Rev B	07.03.2018
PLOT 1 - PLANS & ELEVS	Drg 0002 Rev A	07.03.2018
PLOT 2 - PLANS & ELEVS	Drg 0003 Rev B	07.03.2018
PLOT 3 - PLANS & ELEVATIOSN	Drg 0004 Rev A	07.03.2018
SITE ELEVATIONS AS EXTG	Drg 0005 Rev A	07.03.2018
SITE ELEVATIONS AS PROPOSED	Drg 0006 Rev A	07.03.2018
PLOT 1 GARAGE	Drg 0007 Rev A	07.03.2018
CONTEXTUAL ELEVATIONS	Drg 0008	07.03.2018
4 OLD SHOREHAM ROAD		07.03.2018
6 OLD SHOREHAM ROAD		07.03.2018
DESIGN AND ACCESS STATEMENT	February 2018	07.03.2018
PLANNING STATEMENT	March 2018	07.03.2018
TRANSPSORT STATEMENT	February 2018	07.03.2018

Reason: *For the avoidance of doubt and in the interests of proper planning.*

/Contd …

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 work is to commence until further details of the boundary arrangements at the south eastern boundary have been clarified to demonstrate that there is no risk of excess run-off from hardstanding areas onto neighbouring properties resulting from changes in levels / ground permeability.

Reason: *NPPF paragraph 155…Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

04. No work is to commence until a scheme or the monitoring of the drainage installation has been submitted to the Council to ensure that it is installed as per the approved design and does not increase flood risk to neighbouring properties.

Reason: *The criticality of levels in drainage construction (in relation to seasonal groundwater levels) and existing ground levels (in relation to surface water flow routes) for the system necessitates scrutiny by the council's drainage engineers given the high flood risk pertaining to the site / neighbouring properties.*

05. No building is to be occupied until a maintenance schedule for the drainage has been approved by Adur District Council. The schedule needs to set out how the long term management of surface water and maintenance, being any works, operation, repair, replacement and inspection necessary to ensure minimum standards of operation of SuDS will be undertaken and secured for the Lifetime of the Development by the Management Company which shall comprise:

(a) design criteria including manufacturers' specifications where appropriate;
(b) maintenance schedules and frequency of operations, whether regular, occasional, remedial or monitoring action;
(c) timescales for the replacement of any elements to ensure effective operation of SuDS / drainage infrastructure including equipment parts;
(d) upkeep of public areas and any private areas within the curtilage of a shared development;
(e) establishment of a Management Company

Reason: *To ensure the development is satisfactorily drained.*

06. The hours of construction and demolition in connection with the development hereby permitted shall be restricted to 0800-1800 Monday to Fridays and 0800-1300 hours on Saturdays with no working on Sundays or Bank or Public Holidays.

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

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07. No part of the development hereby permitted shall be occupied until the completion and opening to public traffic of the improvements to the A27 Trunk Road shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 (or such other scheme of works substantially to the same effect, as may be approved in writing by the local planning authority (who shall consult with Highways England)).

Reason: *To ensure that the junction of the A27 Trunk Road with the A2025 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

08. No part of the development hereby permitted shall commence until the necessary traffic regulation order to implement the waiting restrictions at the junction of Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been made and approved and the local planning authority have obtained confirmation in writing from the local highways authority that they are in a position to implement the waiting restriction.

Reason: *To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

09. No part of the development hereby permitted shall be occupied until the local planning authority has been advised in writing by the local highway authority that the waiting restriction at the junction of Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been implemented.

Reason: *To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

10. No part of the development hereby permitted shall commence until a Construction Management Plan has been submitted and agreed in writing by the local planning authority (who shall consult Highways England). Construction of the development shall then be carried out in accordance with the agreed Construction Management Plan.

Reason: *To ensure that construction of the development does not prejudice the free flow of traffic and conditions of safety on the highway, nor cause inconvenience to other highway users, and ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

11. 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: *In the interests of visual amenity and the environment and to comply with policy 15 of the Adur Local Plan.*

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 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.*

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), no windows or other openings shall be formed in any side wall of the dwellings hereby approved.

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

14. Within 1 month of the date of the permission for the development hereby approved, a scheme shall be submitted specifying the timetable for the removal of the unauthorised hardstanding on the site, together with details of any restoration of the site pending the commencement of the development hereby approved.

    Reason: *The retention of the hardstanding is unacceptable and should be removed prior to the commencement of development on the site in the interests of visual amenity and to ensure compliance with the agreed drainage solution.*

Informatives / Notes to Applicant

01. The developer must contact the Environmental Health section for a Demolition Notice prior to any demolition work.

02. Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England).

    This development involves work to the public highways that can only be undertaken within the scope of a legal Agreement between the applicant and Highways England. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Highways England switchboard: 0300 470 1370. Email: PlanningSE@highwaysengland.co.uk

03. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructure-charges.

04. 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.

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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.

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).