ADUR DISTRICT COUNCIL

Mr Neal Thompson
Robinson Escott Planning
Downe House
303 High Street
Orpington
BR6 0NN

# PLANNING PERMISSION

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**
**TOWN AND COUNTRY PLANNING GENERAL REGULATIONS, 1992**

## APPLICATION NUMBER: AWDM/1272/21

**Demolition of existing garage blocks and construction of 2no. 2 bed 2 storey dwellings and 2no. 1 bed single storey dwellings**

**Land Between 38 And 40 And South Of 32 To 44 St Giles Close Shoreham-By-Sea West Sussex**

In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under Regulation 3 of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 5th July 2021.

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
07/09/2021

## 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 |
|---|---|---|
| FIRE TENDER SWEPT PATH ANALYSIS | R-20-0068-014 | 23.07.2021 |
| SITE LOCATION PLAN | 501 P02 | 05.07.2021 |
| EXISTING BLOCK PLAN | 503 P02 | 05.07.2021 |
| PROPOSED BLOCK PLAN | 504 P03 | 05.07.2021 |
| TECHNICAL SITE PLAN | 521 P02 | 05.07.2021 |
| PROPOSED SITE SECTIONS | 522 P04 | 05.07.2021 |
| PROPOSED PLANS & ELEVATIONS | 525 P03 | 05.07.2021 |
| PROPOSED PLANS & ELEVATIONS | 526 P04 | 05.07.2021 |
| PROPOSED SITE PLAN | 520 P09 | 05.07.2021 |
| DAS | DAS P03 | 05.07.2021 |
| SUDS | 15945/07/HOP/SUDS | 05.07.2021 |
| ENERGY STATEMENT | | 05.07.2021 |
| BAT SURVEY | UE0408 | 05.07.2021 |
| PLANNING/SUSTAINABILITY STATEMENT | | 05.07.2021 |
| STATEMENT OF COMMUNITY INVOLVEMENT | | 05.07.2021 |
| TRANSPORT NOTE | REV A | 05.07.2021 |

**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. 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.*

04. 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.*

05. 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*

06. 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.*

07. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

**Reason**: *To provide sustainable travel options in accordance with current sustainable transport policies.*

08. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

**Reason**: *To ensure adequate protection of the public sewers.*

09. 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**: *To ensure the site is adequately landscaped.*

10. The windows in the first floor southern elevations of the dwellings 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 they shall not subsequently be altered in any way.

**Reason**: *To protect the amenities of neighbouring residential properties.*

11. 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 southern or western elevations of the dwellings hereby approved.

**Reason**: *To prevent overlooking 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 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.*

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 except by way of a planning application to the Local Planning Authority.

**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. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On Mondays to Fridays such work shall only be undertaken between the hours of 0900 hours and 1700 hours and on Saturdays between 0900 and 1300 hours.

    **Reason**: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.*

15. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be occupied until such walls and/or fences have been erected and they shall thereafter be retained permanently.

    **Reason**: *In the interests of amenity and to comply with policy 15 of the Adur District 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. 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 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.

**Ref: - AWDM/1272/21**

## TOWN AND COUNTRY PLANNING ACT 1990

**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).