ADUR DISTRICT COUNCIL

Mr Luke Carter
Lewis and Co Planning SE Ltd
Lewis & Co Planning
2 Port Hall Road
Brighton
BN1 5PD
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1041/23

Details of Development
ALTERATIONS AND EXTENSIONS TO BUILDING INCLUDING REAR DORMER TO FORM 2ND FLOOR AND SUB-DIVISION OF THE BUILDING TO CREATE 2NO. 3 STOREY DWELLING HOUSES.

Location of Development
90 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 28th July 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
15/12/2023

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
EXISTING & PROPOSED ROOF PLANS	2834-08 B	23.10.2023
PROPOSED PLANS	2834-05 Rev B	17.11.2023
PROPOSED ELEVATIONS & SECTION	2834-06 Rev B	17.11.2023
EXISTING & PROPOSED STREET SCENE	2834-07	28.07.2023
FLOOD RISK & DRAINAGE ASSESSMENT	16542/01/HOP/RPT/01	28.07.2023
DAS		28.07.2023
LOCATION PLAN	2834-00	28.07.2023
BLOCK PLAN	2834-01A	28.07.2023
EXISTING PLANS	2834-02	28.07.2023
EXISTING ELEVATIONS & SECTION	2834-03	28.07.2023

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. Construction work shall not commence until an acoustic assessment has been submitted to and agreed by the Local Planning Authority in respect of the exact noise exposure of the dwellings to traffic noise and an allied scheme prepared to protect habitable rooms from excess noise in relation to British Standard BS 8233: 2014.

Reason: *To protect future residents form excessive traffic noise from Brighton Road in accordance with the National Planning Policy Framework and policy 34 of the Adur Local Plan.*

04. 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 the residential amenity of the area and to accord with Policy 15 of the Adur Local Plan.*

05. 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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

The anticipated number, frequency and types of vehicles used during construction, the method of access and routing of vehicles during construction, HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's), the parking of vehicles by site operatives and visitors, the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the Development, the erection and maintenance of security hoarding, a commitment to no burning on site, the provision of 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), methods to control dust from the site, a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites, details of public and neighbour engagement both prior to and during construction works.

Reason: *As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and to accord with Policy 15 of the Adur Local Plan.*

06. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: 16542/01/HOP/RPT/01, V2.0, dated 22.08.2023, by HOP Consulting Limited) and the following mitigation measures it details:

- There shall be no habitable rooms on the ground floor;
- The first-floor finished floor level shall be set no lower than 5.8 metres above Ordnance Datum (AOD).

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. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.*

07. 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.*

08. The external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed in materials as shown on the approved plans to include vertical timber cladding, painted render, tiled roof and powder coated window and door frames unless otherwise approved in writing by the Local Planning Authority.

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

09. The glazing in the west side elevation of the building shall at all times be of obscured glass except bedroom 2 which shall be obscurely glazed up to 1.7 metres above finished floor level with a maximum angle of opening of 45 degrees. No additional openings shall be inserted in the west side elevation and shall remain as such at all times unless otherwise approved in writing by the Local Planning Authority.

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

10. Prior to installation, details of the proposed solar panels shall be submitted to and approved by the Local Planning Authority and works shall be carried out in accordance with such details, unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to accord with Policy 15 of the Adur Local Plan.*

11. Prior to occupation of the development hereby permitted the privacy screen as shown on the approved plans shall be installed and shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of residential amenity and to accord with Policy 15 of the Adur Local Plan.*

12. 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 an adequate surface water drainage scheme.*

13. Prior to installation details of the proposed Air Source Heat Pumps shall be submitted to and approved by the Local Planning Authority. These shall be installed in accordance with such details and shall be maintained at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of residential amenity and to accord 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 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. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

03. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

04. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and Numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk

Ref: AWDM/1041/23

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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).