Adur District Council

Planning, Regeneration and Wellbeing

Mr R Overton-Hart
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Horsham Road
Steyning
West Sussex
BN44 3AA

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

APPLICATION NUMBER: AWDM/1483/12

Details of Development
DEMOLITION OF EXISTING CANOPY, OFFICE AND OUTBUILDINGS AND CONSTRUCTION OF 16 DWELLINGS (7 NO. TWO-BED HOUSES AND 9 NO. THREE-BED HOUSES) AND ASSOCIATED WORKS.

Location of Development
136 UPPER SHOREHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6TD

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 30th November 2012.

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

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
20/06/2013

ADUR DISTRICT COUNCIL
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SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and, while of a high density and slightly below expected space and amenity standards, would help meet the need for additional housing without detracting from the existing local urban environment. There will be some impact on neighbouring dwellings but overall the development can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AH5, AB23, AB25-27)

Conditions

01. 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.*

02. The development hereby permitted shall be carried out in accordance with the following approved plans:-

Drawing No: 042-11-40 Proposed Ground Floor Plans and Site Layout Plan received 30 November 2012
Drawing No: 042-11-41 Proposed First Floor Plans received 30 November 2012
Drawing No: 042-11-42 Proposed Roof Plans received 30 November 2012
Drawing No: 042-11-45 Proposed Street Elevation, Rear and Side Elevations received 30 November 2012
Drawing No: 042-11-46 Proposed 2-Bedroom House Elevations received 30 November 2012
Drawing No: 042-11-47 Proposed 3-Bedroom House Elevations received 30 November 2012
Drawing No: 042-11.01 Site and Block Plan received 30 November 2012
Drawing No: 042-11.02 Existing Elevations received 30 November 2012
Drawing No; 042-11-32 revision D Proposed Redevelopment Including Highways Details received 17 May 2013
Stage 1 Road Safety Audit dated April 2013

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

03. Prior to the commencement of development, a Remediation Strategy and Validation Report shall be submitted to and approved by the Local Planning Authority in accordance with the recommendations contained within Section 13 of the Site Investigation Report numbered 12.7185 and dated October 2012. The approved details shall be maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: *To ensure that remediation and verification strategies are satisfactorily completed.*

04. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:-
all previous uses;
potential contaminants associated with those uses;
a conceptual model of the site indicating sources, pathways and receptors;
potentially unacceptable risks arising from contamination at the site;

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (1 + 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

(5) Prior to (commencement of development)/(occupation of any part of the permitted development), a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the Local Planning Authority.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

Reason: *In the interests of environmental protection and public safety and to safeguard against pollution and to comply with the National Planning Policy Framework.*

05. Prior to the first occupation of the development hereby permitted, details of any lighting to the communal parking areas shall be submitted to and approved by the Local Planning Authority and the approved details maintained thereafter.

Reason: *To ensure that there is satisfactory lighting provision to the communal parking areas.*

06. Prior to occupation of any part of the permitted development , a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority (LPA). The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the LPA. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: *To ensure that and remediation, if deemed necessary, is satisfactorily completed.*

07. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: *To ensure that any contamination identified during the demolition and construction works is fully characterised and assessed.*

08. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: *To ensure that the surface water drainage scheme for the proposed development does not result in the pollution of controlled waters.*

09. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: *In the interests of road safety.*

10. No development shall commence until such time as the existing vehicular accesses onto Upper Shoreham Road from the site has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety.*

11. No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: *In the interests of road safety.*

12. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43metres have been provided at the proposed site vehicular access onto Upper Shoreham Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety.*

13. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Southdown Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety.*

14. 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 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.*

15. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: *To provide adequate on-site car parking and turning space for the development.*

16. 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,
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,
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),
measures to control the emission of dust and dirt during demolition and construction,
lighting for construction and security,
details of public engagement both prior to and during construction works.

Reason: *In the interests of highway safety and the amenities of the area.*

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include matters such as:-
    - i) Proposed finished levels and contours;
    - ii) Means of enclosure, including full details of the proposed boundary walls, railings and gates to be erected;
    - iii) Car parking layouts;
    - iv) Other vehicle and pedestrian access and circulation areas;
    - v) Hard surfacing materials;
    - vi) Minor artefacts and structures (street furniture, play equipment, refuse and other storage units, lighting);
    - vii) Proposed and existing functional services above and below ground such as drainage, power; communications cables, pipelines etc (indicating lines, manholes, supports);
    - viii) Retained historic landscape features and proposals for restoration where relevant.

Soft landscape works shall include planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be completed before any part of the development is occupied or in accordance with the implementation programme approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and the environment and to comply with saved policies AB25-27 of the Adur District Local Plan.*

18. No development shall take place until details of all boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the building 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 AH2 of the Adur District Local Plan.*

19. 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 saved policy AG1 or AH2 of the Adur District Local Plan.*

20. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity.*

21. The development hereby permitted shall not be commenced until details of the proposed drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.

Reason: *To ensure adequate drainage and to comply with policy AP4 of the Adur District Local Plan.*

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended [or any incidental building over 5 cubic metres in volume erected within its curtilage].

    Reason: *In the interests of amenity and the environment having regard to saved policies BE1 and H18 of the Worthing Local Plan and policy 16 of the Worthing Submission Core Strategy / saved policy AH2 of the Adur District Local Plan.*

23. Prior to the commencement of development, details of alterations to the proposed fenestration in order to reduce the amount of overlooking between properties shall be submitted to and approved by the Local Planning Authority and the approved details maintained thereafter.

    Reason: *In the interests of amenities of existing neighbouring properties and the proposed dwellings on the application site in accordance with policy AH2 of the Adur Local Plan 1996*

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. 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 Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk

03. The applicant is advised that as the estate roads are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that the estate roads would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming the construction standard.

04. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding within the limits of the highway, the provision of cranes over-sailing the highway.