ADUR DISTRICT COUNCIL

Mr James Breckell
James Breckell Architects
89 Old Fort Road
Shoreham by Sea
BN435HA
United Kingdom

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 1 Class AA

APPLICATION NUMBER: NOTICE/0020/24

Details of Development
HOUSEHOLDER APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR ENLARGEMENT OF A DWELLINGHOUSE BY CONSTRUCTION OF AN ADDITIONAL STOREY TO A HEIGHT OF 2.8M ABOVE THE EXISTING FLAT ROOF WITH FRONT AND REAR FACING BALCONIES

Location of Development
206 HARBOUR WAY SHOREHAM-BY-SEA WEST SUSSEX BN43 5HZ

In pursuance of their powers under the above-mentioned Act and Order the Council hereby confirm that PRIOR APPROVAL IS REFUSED for the above development, in accordance with the application and relevant correspondence registered on 30th October 2024

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary peck
Planning Services Manager
29/11/2024

SCHEDULE

Reasons for Refusal

01. The proposed development by reason of its scale, height and design within this terrace would introduce a visually dominant and obtrusive form of development culminating in harm to the external appearance of the terrace and general visual amenity. The proposal is therefore contrary to Policy 15 of the Adur Local Plan, adopted Development Management Standard No.2 'Extensions and Alterations to Dwellings" and the National Planning Policy Framework.

02. The proposed roof terraces would result in increased overlooking to neighbours and potential noise, disturbance and loss of privacy to bedrooms in adjoining houses. The proposal is therefore contrary to Policy 15 of the Adur Local Plan, adopted Development Management Standard No.2 'Extensions and Alterations to Dwellings" and the National Planning Policy Framework.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-

Reference/Drawing Number	Version	Date Rec
LOCATION & BLOCK PLAN	Drg 01	30.10.2024
EXTG & PROPOSED PLANS	Drg 02	30.10.2024
EXTG FRONT ELEVATION	Drg 03	30.10.2024
PROPOSED FRONT ELEVATION	Drg 04	30.10.2024
EXTG REAR ELEVATION	Drg 05	30.10.2024
PROPOSED REAR ELEVATION	Drg 06	30.10.2024
EXTG SIDE ELEVATION	Drg 07	30.10.2024
PROPOSED SIDE ELEVATION	Drg 08	30.10.2024
EXTG SIDE ELEVATION	Drg 09	30.10.2024
PROPOSED SIDE ELEVATION	Drg 10	30.10.2024

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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, and you want to appeal, then you must do so within 12 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 can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 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.