ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1062/22

Details of Development
DEMOLITION OF EXISTING BUNGALOW, REPLACED BY 3-STOREY DETACHED 4 BEDROOM DWELLING, WITH DOUBLE GARAGE AND BIN/BIKE STORE TO FRONT.

Location of Development
64 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5HA

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 22nd June 2022.

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

GPeck

Gary Peck
Planning Services Manager
22/09/2022

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	7157 1.1	05.09.2022
DESIGN & ACCESS STATEMENT	7157 P2	05.09.2022
PROPOSED GROUND FLOOR PLAN	P-0100 B	05.09.2022
PROPOSED FIRST FLOOR PLAN	P-0101 B	05.09.2022
PROPOSED SECOND FLOOR PLAN	P-0102 B	05.09.2022
PROPOSED ROOF LEVEL	P-0103 B	05.09.2022
PROPOSED BLOCK & SITE PLAN	P-0002 B	05.09.2022
EXISTING STREET SCENES	P-0400 A	05.09.2022
PROPOSED STREET SCENES	P-0401 B	05.09.2022
PROPOSED NORTH & EAST ELEVATIONS	P-0410 B	05.09.2022
PROPOSED SOUTH & WEST ELEVATIONS	P-0411 B	05.09.2022
EXISTING BLOCK & SITE PLAN	P-0001 A	22.06.2022
PROPOSED SECTIONS	P-0500 A	22.06.2022

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. The development shall be completed using the external materials and finishes specified in the application 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.*

04. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved plan. These spaces shall always thereafter be kept for their designated purpose.

Reason: *In the interests of amenity and highway safety and having regard to policy 28 of the Adur Local Plan.*

05. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with policy 28 of the Adur Local Plan.*

06. 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. The development shall be carried out in accordance with the approved Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during demolition and construction;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works, and
(viii) the limiting of construction work to 8am-6pm Monday -Friday, 8.30am - 1pm Saturdays with no working on Sundays and Bank Holidays

Reason: *In the interests of highway safety and amenity having regard to policies 28 and 34 of the Adur Local Plan.*

07. Development shall not commence, other than works of site survey, investigation, clearance, and demolition of existing, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The building shall not 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 adequate drainage and to comply with policy 36 of the Adur Local Plan.*

08. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (Project No. 23748, Version 1.1, dated 2 September 2022, by The Civil Engineering Practice) and the following mitigation measures detailed within the FRA:

- The Finished Floor level of the development must be set no lower than 6.3mAOD (sections 6.2.2 and 8.3 of the FRA).

- All sleeping accommodation is to be located on the First Floor and above (sections 6.2.4 and 8.3 of the FRA).

- Construction of the ground floor will be undertaken using flood resilient materials to a minimum level of 7.06m AOD (sections 6.2.3 and 8.3 of the FRA).

- There will be provision of a flood defence wall surrounding the property and equipped flood gates so as to afford protection to the site against a future year 2115 predicted 1:200 year tidal flood event (sections 6.2.1 and 8.3 of the FRA).

These mitigation measures shall be fully implemented prior to occupation.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce risk of flooding and in the interests of the safety of the occupants having regard to policy 36 of the Adur Local Plan and the National Planning Policy Framework.*

09. The EV charging points, air source heat pump and PV panels shall be provided as shown on the approved plans prior to first occupation of the dwelling hereby permitted.

Reason: *In the interests of sustainability and energy efficiency having regard to policy 18 of the Adur 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. The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the

responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

03. This permission does not give you the right to use Council land to access your site in order to carry out the development and separate consent for access is required from the Council's Parks and Foreshore department.

04. A demolition notice under the Building Act 1984 is required to be submitted to the Council's Environmental Health team before demolition commences.

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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://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).