Adur District Council

Development Management

Mr Anthony Foster
DowsettMayhew Planning Partnership
63A Ship Street
Brighton
BN1 1AE

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1921/17

Details of Development
REDEVELOPMENT OF THE SITE TO PROVIDE 2 NO. SEMI-DETACHED 4 BEDROOM, 3-STOREY PROPERTIES INLUDING ASSOCIATED LANDSCAPING AND GARAGING.

Location of Development
156 BRIGHTON ROAD LANCING WEST SUSSEX BN15 8LL

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 21st December 2017.

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
01/05/2018

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

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 GROUND FLOOR, LOCATION & BLOCK PLANS	Drg No 01.A	14.03.2018
EXISTING FIRST & SECOND FLOOR PLANS	Drg No 02.A	14.03.2018
EXISTING SECTIONS & ELEVATIONS	Drg No 03.A	14.03.2018
PROPOSED GROUND FLOOR, LOCATION & BLOCK PLANS	Drg No 04	14.03.2018
PROPOSED FIRST & SECOND FLOOR PLANS	Drg No 05	14.03.2018
PROPOSED SECTIONS & ELEVATIONS	Drg No 06.A	14.03.2018
SURFACE WATER DRAINAGE		14.03.2018
FLOOD RISK ASSESSMENT		21.12.2017

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. 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 roof of the proposed building have 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.*

/Contd. …

04. 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: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

05. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans and details of the positions, design, materials and types of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the buildings are occupied. Thereafter the approved boundary treatment shall be retained permanently.

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

06. Surface water shall be drained from the site in accordance with the revised Surface Water Drainage Scheme dated March 2018 and received 14/3/18. Such details shall be implemented prior to first occupation of either house and retained as such thereafter.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained having regard to the National Planning Policy Framework and policies 35 and 36 of the Adur Local Plan.*

07. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated November 2017 and in particular those details contained in Section 7 of it.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority and shall be retained thereafter.

Reason: *To reduce the risk of flooding to the proposed development and future occupants in accordance with The National Planning Policy Framework and policy 36 of the Adur Local Plan.*

/Contd. …

08. No dwelling shall be occupied unless and 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 the habitable rooms from excess noise in relation to British Standard BS 8233: 2014: Guidance. The approved assessment and mitigation scheme shall be implemented prior to first occupation of any dwelling and retained thereafter.

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.*

09. No development shall commence unless and until a construction/demolition management plan (including storage of construction materials /equipment/ parking/disposal of waste and surplus materials and dust suppression scheme) has been submitted to and agreed by the Local Planning Authority. The construction /demolition shall not be carried out other than in full accordance with any such approval.

Reason: *In the interests of highway safety and to minimise harm to residential amenity and to control potential pollution events that may detrimentally impact on the ecological interest of the adjacent lagoon as an SNCI having regard to policies 15, 31, 34 and 35 of the Adur Local Plan.*

10. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On all other days such work shall only be undertaken between the hours of 8am and 6pm, except Saturdays where work shall only be undertaken between 9am and 1pm.

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

11. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: *In the interest of road safety having regard to policy 15 of the Adur Local Plan.*

12. 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 ensure adequate provision is made within the site for off street parking in accordance with policy 15 of the Adur Local Plan.*

/Contd. …

13. The garage buildings shall be used only as private domestic garages for the parking of vehicles, cycles and domestic storage incidental to the use of the properties as dwellings and for no other purposes.

    Reason: *To ensure adequate off-street provision of parking in the interests of amenity and highway safety and to provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

14. Prior to the installation of the garage doors, details of the door opening mechanism for them shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the approved garage door shall be installed and retained thereafter unless agreed in writing with the Local Planning Authority.

    Reason: *In the interests of highway safety and to provide adequate car-parking space for the use in accordance with policy 15 of the Adur Local Plan and the National Planning Policy Framework.*

15. All flank wall windows shall, on installation, be obscurely glazed and non-opening below 1.7 metres and shall be retained as such thereafter.

    Reason: *In the interest of privacy having regard to policy 15 of the Adur Local Plan.*

16. 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 side walls of the houses.

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

17. 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 dwellings 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 the nature of the site and 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. 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, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

03. 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 discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

04. The applicant is advised to contact the Community Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

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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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (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.

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).