Adur District Council

Development Management

Mr James Breckell
Adur Business Centre
Little High Street
Shoreham By Sea
West Sussex
BN43 5EG

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0493/17

Details of Development
DEMOLISH EXISTING DWELLING AND CONSTRUCT A PAIR OF TWO STOREY SEMI-DETACHED PROPERTIES WITH FOUR PARKING SPACES PER DWELLING (AMENDED RE-SUBMISSION OF AWDM/0097/17).

Location of Development
83 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 27th March 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
18/07/2017

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
EXST & PROP LOCATION PLAN	JB 387/planning 01D	09.05.2017
EXST & PROP BLOCK PLAN	JB 387/planning 02D	09.05.2017
EXISTING SITE PLAN	JB 387/planning 03D	09.05.2017
EXST ELEVATIONS/GF PLAN	JB 387/planning 04D	09.05.2017
FRA	Dated June 2017	21.06.2007
PROPOSED SITE PLAN	JB 387/planning 05E	21.06.2017
PROPOSED FLOOR PLANS	JB 387/planning 06E	21.06.2017
PROP ROOF/SECTIONS	JB 387/planning 07E	21.06.2017
PROPOSED FRONT(S)/SIDE (E) ELEVS	JB 387/planning 08E	21.06.2017
PROPOSED SIDE (W)/REAR (N) ELEVS	B 387/planning 09E	21.06.2017
PROP CONTEXT & SITE SECTION	JB 387/planning 10E	21.06.2017

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 commence until the developer has advised the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewer which crosses the site. The works shall be completed in accordance with the details and timetable approved by the Local Planning Authority before the dwelling is occupied.

Reason: *To protect existing sewerage infrastructure.*

04. No demolition work or work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. Work shall only be undertaken between the hours of 8am and 6pm Mondays to Fridays and 8.30am and 1pm on Saturdays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy AG1 of the Adur District Local Plan.*

05. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety.*

06. 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 provide car-parking space for the use.*

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 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 development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (GTA Civils ref 6895, dated June 2017) and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 6.15m above Ordnance Datum (AOD).

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.

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

09. No development shall be carried out unless and until a schedule and samples 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 details.

Reason: *In the interests of visual amenity and to comply with saved policy AH2 of the Adur District Local Plan and policy 15 of the Submission Adur Local Plan.*

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E of Part 1 of the Schedule to that Order.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and saved policy AH2 of the Adur District Local Plan and policy 15 of the Submission 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 discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.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, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

04. 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.

05. 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.

06. You are advised to contact the Council's Environmental Health section to obtain a demolition notice prior to the demolition of the existing building.

07. The Environment Agency strongly recommends that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Ref: AWDM/0493/17

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

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).