ADUR DISTRICT COUNCIL

Mr Courtney Darby
Darby Architectural Ltd
5 Derek Road
Lancing
West Sussex
BN15 0NU

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1694/19

Details of Development
APPLICATION TO VARY CONDITON 1 (APPROVED PLANS) OF PREVIOUSLY APPROVED AWDM/1921/17. AMENDMENT: CORRECT ANNOTATION OF FIRST AND SECOND FLOOR LEVELS

Location of Development
FORMER 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 31st October 2019.

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
03/12/2019

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
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
PROPOSED SECTION & ELEVATIONS	06 Rev B	31.10.2019

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 in accordance with the Schedule of Materials approved under the terms of planning permission AWDM/0238/19 dated 19.3.19.

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

04. The development shall be completed in accordance with the hard and soft landscaping scheme approved under the terms of planning permission AWDM/0238/19 dated 19.3.19.

Reason: *In the interest of the appearance of the development and wider area having regard to policies 15 and 30 of the Adur Local Plan.*

05. The development shall be completed in accordance with the boundary treatment scheme approved under the terms of planning permission AWDM/0238/19 dated 19.3.19.

Reason: *In the interest of the appearance of the development and neighbour amenity 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.*

/Contd …

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.*

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. The development shall be completed in accordance with the construction management scheme approved under the terms of planning permission AWDM/0238/19 dated 19.3.19.

Reason: *In the interest of highway safety and neighbour amenity having regard to policy 15 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.*

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 policies 15 and 28 of the Adur Local Plan.*

14. The development shall be completed in accordance with the garage door scheme approved under the terms of planning permission AWDM/0238/19 dated 19.3.19.

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

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 (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 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 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. 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. A public sewer crosses the site and the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk to discuss the matter prior to commencing the development.

04. The applicant is advised that in addition to obtaining planning permission they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Ref: AWDM/1694/19

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 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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).