ADUR DISTRICT COUNCIL

Mr Chris Barker
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11 Goring Road
Worthing
West Sussex
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0300/20

Details of Development
FULL PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING GARAGES AND THE ERECTION OF 18NO. 1-BEDROOM APARTMENTS (INCLUDING 30% AFFORDABLE) WITHIN A 3-STOREY BUILDING WITH ASSOCIATED CAR PARKING AND LANDSCAPING AND PV PANELS ON FLAT ROOF. RETENTION OF EXISTING FLAT BLOCK TO THE SOUTH AND PROVISION OF ADDITIONAL CAR PARKING SPACES FOR EXISTING FLATS.

Location of Development
GARAGE BLOCK NORTH OF ST PETERS PLACE WESTERN ROAD SOMPTING WEST SUSSEX

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 February 2020.

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
29/10/2020

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
EAST & WEST ELEVATIONS & STREET SCENES PROPOSED	200 Rev P4	17.04.2020
PROPOSED SECTIONS	300 Rev P5	17.04.2020
DESIGN & ACCESS STATEMENT	DOC.01	17.04.2020
PLANNING & AFFORDABLE HOUSING STATEMENT		17.04.2020
PROPOSED SITE PLAN	010 Rev P4	17.04.2020
PROPOSED GROUND FLOOR PLAN	100 Rev P4	17.04.2020
PROPOSED FIRST & SECOND FLOOR PLANS	Drg 101 Rev P3	09.04.2020
NORTH & SOUTH ELEVATIONS	Drg 201 Rev P3	09.04.2020
AIR QUALITY ASSESSMENT		21.02.2020
ENERGY & SUSTAINABILITY STATEMENT		21.02.2020
NOISE ASSESSMENT		21.02.2020
SUDS ASSESSMENT & DRAINAGE STRATEGY		21.02.2020
TRANSPORT REPORT		21.02.2020
LOCATION PLAN	Drg LOC Rev P1	21.02.2020
BLOCK PLAN	Drg BLOC Rev P1	21.02.2020
EXISTING ELEVATIONS	Drg 001 Rev P1	21.02.2020
EXISTING TOPOGRAPHICAL SURVEY	Drg 18051-02-T-E-SP	21.02.2020
PRELIMINARY INVESTIGATION REPORT		21.02.2020

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 above slab level shall take place until a scheme for protecting the proposed flats from noise and vibration from the road, railway and industrial estate has been submitted to and approved by the local planning authority. The scheme should include details of glazing, the provision of Mechanical Ventilation and Heat Recovery and a strategy to prevent overheating. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. Following approval and completion of the scheme, tests shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

04. The windows in the north and south elevations of the central wing of the building hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.

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

05. All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times:-

Monday Friday
08:00 18:00 Hours
Saturday 09:00 13:00 Hours
Sundays and Bank Holidays: No work permitted.

Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

06. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction,

- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)
- details of public engagement both prior to and during construction works
- Methods to control dust from the site

Reason: *In the interests of highway safety and amenity having regard to policies 15, 28 and 34 of the Adur Local Plan.*

07. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:-

(1) A preliminary risk assessment which has identified:-

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall

include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policies 34 and 35 of the Adur Local Plan.*

08. No development above slab level shall take place until details of all acoustic fences have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied until the acoustic fences have been erected in accordance with the approved details and they shall thereafter be retained permanently.

Reason: *In the interests of amenity and to comply with policy 15 of the Adur Local Plan.*

09. No development above slab level shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, and which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection in the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development 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. The approved details of hard landscaping shall be completed prior to occupation of the building(s).

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

10. No development shall take place until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

11. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme, including details of its future maintenance and management, have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. The design should follow the hierarchy of

preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall 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.

Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

A site-specific maintenance manual shall be submitted to, and approved in writing, by the Local Planning Authority which shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

12. No development above slab level shall commence unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation measures set out in section 6 of the Air Quality Assessment, provided as part of the application, shall be implemented in full.

Reason: *In order to mitigate against the emissions generated by the development having regard to policy 34 of the Adur Local Plan.*

13. No development above slab level shall take place until a schedule and samples of all materials and finishes to be used for the external walls (including windows, doors, balconies) and roofs of the proposed building 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 policy 15 of the Adur Local Plan.*

14. No part of the development shall be first occupied until the car parking for both St Peter's Place and the proposed development has been constructed in accordance with the approved site plan. At least 6 spaces serving the new

development shall be provided with an active charging point for electric vehicles with the remaining spaces provided with ducting to enable future connection.

Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework, West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019) and policy 28 of the Adur Local Plan.*

15. 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 to be 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.*

16. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.

No dwelling shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

Reason: *In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and to increase the sustainability of the development and make efficient use of water in accordance with policy 18 of the Adur Local Plan.*

17. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with the West Sussex Waste Local Plan.*

18. Details of the proposed PV panels and green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and they shall be installed in accordance with the approved details.

Reason: *In the interests of sustainability and amenity having regard to policies 15 and 19 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. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage:
https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms.
A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions

03. Network Rail strongly recommends the developer contacts Network Rail's Asset Protection team prior to any works commencing on site, with a view to entering into an Asset Protection Agreement to enable approval of detailed works

04. The developer is advised to notify of the Council prior to any works of demolition under the Building Act 1984.

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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).