ADUR DISTRICT COUNCIL

Mr Philip Atkins
Planning Resolution Ltd
Thorncroft Manor
Thorncroft Drive
Ashtead
KT21 2NN

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1375/18

Details of Development
APPLICATION TO VARY CONDITION 1 OF PREVIOUSLY APPROVED AWDM/1311/17. AMENDMENT: MINOR MATERIAL CHANGES TO POSITION OF BUNGALOW TO NORTH OF SITE.

Location of Development
COTTAGE 36 LESSER FOXHOLES SHOREHAM-BY-SEA WEST SUSSEX BN43 5NT

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 11th September 2018.

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
07/03/2019

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 TIMBER FENCE/ELEVATIONS	Drg No 6277 F 01 Rev C	22.02.2019
PROPOSED TIMBER FENCING	Drg No 6277 F 02	18.02.2019
LANDSCAPE PROPOSALS	Drg No 714/01 Rev B	18.02.2019
BOUNDARY CONDITION COMPARISON		11.09.2018
SITE PLAN	Drg No A3000 Rev D	11.09.2018
LOCATION PLAN	Drg No A3001 Rev D	11.09.2018
BUNGALOW FLOOR PLANS	Drg No A3012 Rev D	11.09.2018
BUNGALOW ELEVATIONS	Drg No A3102 Rev D	11.09.2018
CONTEXT ELEVATIONS	Drg No A3103 Rev D	11.09.2018

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. The development, including site clearance and any works of demolition, hereby permitted shall be carried out and adhered to throughout the construction period in accordance with the Construction Method Statement Issue 02 prepared by F3GROUP received 13-10-2017 under planning permission AWDM/1948/16.

No working whatsoever (including arrival, reception or dispatch of deliveries) shall take place on the premises except between the hours of 7.00 am and 6.00 pm on Mondays to Fridays inclusive and 7.00 am and 1.00 pm on Saturdays nor at any time on Sundays or Public Holidays.

Reason: *In the interests of highway safety and to safeguard residential amenity in accordance with the relevant national policy set out in the National Planning Policy Framework and policies 15, 28 and 34 of the Adur Local Plan.*

03. The development, including site clearance and any works of demolition, hereby permitted shall be carried out and adhered to throughout the construction period in accordance with the Arboricultural Appraisal, Implications Assessment and Method Statement prepared by ACS (TREES) Consulting date received 15-09-2017 under planning permission AWDM/1948/16.

Any mitigation or protection measures set out in the approved Arboricultural Appraisal, Implications Assessment and Method Statement shall be put in place prior to commencement of any construction works, including demolition, and retained throughout the period of construction work on the site or for such longer period as approved in writing by the Local Planning Authority.

Reason: *To protect trees on site which are of significant visual amenity and/or screening to safeguard neighbour amenity from damage and to comply with policies 15 and 30 of the Adur Local Plan.*

04. The development shall be completed in accordance with the schedule of external materials and finishes approved under application reference AWDM/1311/17.

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

05. The surface water drainage works approved under application reference AWDM/1311/17 shall be completed in accordance with the details approved by the Local Planning Authority before first occupation of the approved dwellings.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained to comply with policy 36 of the Adur Local Plan.*

06. All planting, seeding or turfing comprised in the details of landscaping hereby approved 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 dwellinghouse buildings hereby permitted

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

07. The dwellinghouse buildings hereby permitted shall not be occupied until all boundary walls and/or fences have been erected in accordance with the details hereby approved and they shall thereafter be retained permanently.

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

08. The dwellinghouse buildings hereby permitted shall not be occupied until the parking spaces, garages, and turning and access facilities shown on approved plans have been provided on the land with their respective allocations. The areas of land so provided shall not thereafter be used for any purpose other than access

and turning, garaging and parking of vehicles incidental to the use of the dwellinghouses hereby permitted.

Reason: *In the interests of highway safety and to safeguard residential amenity in accordance with policy 28 of the Adur Local Plan.*

09. The dwellinghouse buildings hereby permitted shall not be occupied until the secure, covered cycle parking shown on approved plans has been provided on the land. The areas of land so provided shall not thereafter be used for any purpose other than parking of cycles incidental to the use of the dwellinghouses hereby permitted.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the relevant national policy set out in the National Planning Policy Framework and policy 28 of the Adur Local Plan.*

10. The dwellinghouse buildings hereby permitted shall not be occupied until the secure, covered bin storage shown on approved plans has been provided on the land. The areas of land so provided shall not thereafter be used for any purpose other than bin storage incidental to the use of the dwellinghouses hereby permitted.

Reason: *To encourage and provide for adequate waste disposal in compliance with policy 15 of the Adur Local Plan.*

11. The first floor windows in the side elevations of the dwellinghouses hereby permitted shall 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 shall not subsequently be altered in any way.

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

12. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows, rooflights or other openings (other than as hereby approved) shall be formed in the north elevation of the bungalow dwellinghouse building and/or at first floor and above in the side elevations of the two-storey dwellinghouses hereby permitted.

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

13. No external lighting or floodlighting shall be installed except in accordance with details to be approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and the Dark Skies Reserve Status of the South Downs National Park to comply with policies 15 and 34 of the Adur Local Plan.*

14. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of any dwellinghouse hereby permitted forward of any wall of that dwellinghouse which fronts or faces any existing or proposed highway (including a public path), except as approved in this permission.

    Reason: *In the interests of visual amenity and to maintain the 'open plan' setting of the development scheme having regard to policy 15 of the Adur Local Plan.*

15. 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 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 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.

Ref: AWDM/1375/18

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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 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).