ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/2034/22

Details of Development
INSTALLATION OF 1NO. MODULAR BUILDING ON WESTERN SIDE OF REAR CAR PARK TO PROVIDE TREATMENT ROOMS, INCLUDING REMOVAL OF RAISED PLANTED AREA AND GARAGE IN REAR CAR PARK AND RECONFIGURATION OF PARKING AREA

Location of Development
BALL TREE SURGERY WESTERN ROAD NORTH SOMPTING WEST SUSSEX BN15 9UX

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 16th January 2023.

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
20/05/2024

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
FLOOD RISK ASSESSMENT & DRAINAGE STRATEGY	April 2024 Rev B	17.04.2024
LOCATION & BLOCK PLAN	2216/SL-10 D	08.02.2024
PROPOSED SITE LAYOUT	2216/SK-11 A	08.02.2024
PROPOSED BUILDING PLAN	2216/SK-15A	08.02.2024
PROPOSED EAST ELEVATION & EXISTING BOUNDARY	2216/SK-16 A	08.02.2024
PROPOSED SECTION & ELEVATIONS	2216/SK-16 A	08.02.2024
TREE ASSESSMENT /STATEMENT	WT 063-22 AIA Ltr	16.01.2023

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 applicant shall, during the next planting season following the felling of the trees forming the subject of this application, plant replacement trees of a species and maturity and in a position to be approved in writing by the Local Planning Authority and under its supervision and, in the event that the trees die within five years following such planting, they shall be replaced by a similar tree in a similar position during the next planting season.

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

04. The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Reason: *To protect important infrastructure having regard to policy 29 of the Adur Local Plan.*

05. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (job no. 5917, revision B, dated April 2024), this includes the use of an attenuation tank that discharges to the surface water sewer at a rate of 0.5l/s and the use of resistance and resilience measures, unless otherwise first approved in writing by the Local Planning Authority.

Reason: *To ensure the flood risk is adequately addressed and not increased in accordance with policy 36 of the Adur Local Plan and the NPPF.*

06. The development hereby approved shall not be occupied until details of the maintenance and management of any proposed sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The details of the scheme to be submitted for approval shall include:

I. Details of the SuDS feature and connecting drainage structures, and maintenance requirements for each aspect including a drawing showing where they are located.
II. A management and maintenance plan for the lifetime of the development which shall include the name and contact details of any appointed management company.
III. Details on how the attenuation tank will be accessed for maintenance if it is located below the proposed building.

Reason: *To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with policy 36 of the Adur Local Plan and the NPPF.*

07. Prior to the first use of the development a Flood Evacuation Plan, detailing the mapped evacuation routes, shall be submitted to and approved in writing to the Local Planning Authority.

Reason: *To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with policy 36 of the Adur Local Plan and the NPPF.*

08. The building shall not be occupied until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with the approved plans. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the premises concerned.

Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework and policies 15 and 28 of the Adur Local Plan.*

09. Works of construction or demolition, including the use of plant and machinery, 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

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the residential amenity of the area having regard to policy 34 of the Adur Local Plan.*

10. The windows in the west side elevation of the building hereby permitted shall at all times be glazed with obscured glass.

Reason: *To prevent overlooking and to comply with 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.

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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://www.gov.uk/appeal-planning-decision.

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).