ADUR DISTRICT COUNCIL

Mr Sam Sykes
ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1478/21

Details of Development
DEMOLITION OF EXISTING STRUCTURE AND ERECTION OF NINE DWELLINGS WITHIN A TWO / TWO AND HALF STOREY BUILDING WITH ACCOMMODATION WITHIN THE ROOFSPACE CONSISTING OF 8NO. 2 BED AND 1NO. 3 BED APARTMENTS, WITH ROOF TERRACES ON THE SECOND FLOOR AND ASSOCIATED CAR PARKING, BIN AND CYCLE STORE, ACCESS, LANDSCAPING AND BOUNDARY TREATMENT.

Location of Development
MARQUIS OF GRANBY WEST STREET SOMPTING WEST SUSSEX BN15 0AP

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 9th August 2021.

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
22/03/2022

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
LOCATION PLAN	PL-01 REV P1	09.08.2021
FLAT BLOCK: PROPOSED ELEVATIONS	PL-07 REV P6	21.03.2022
PROPOSED SITE PLAN	PL-05 REV P3	10.02.2022
PROPOSED FLOOR PLANS	PL-06 REV P4	10.02.2022
PROPOSED STREET SCENE	PL-08 REV P4	10.02.2022
PROPOSED SECTIONS	PL13	10.02.2022
PROPOSED COMMUNAL BIN & BICYCLE STORE	PL14	10.02.2022

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 take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction; and
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

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04. Construction of the development shall not commence until details of the proposed means of foul sewerage has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority and no dwelling shall be occupied prior to completion of the works.

Reason: *To prevent pollution of the water environment by ensuring the necessary infrastructure is in place, in compliance with policies 29 and 35 of the Adur Local Plan.*

05. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. 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.

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

06. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to 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.*

07. No external lighting or floodlighting shall be installed except 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 policies 15, 17 and 34 of the Adur Local Plan.*

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08. No part of the development shall be first occupied until the car parking (including the provision of electric vehicle charging points) has been constructed in accordance with the approved site plan. These spaces and charging points shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

09. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

10. No part of the development shall be first occupied until such time as a Residents Travel Information Pack has been submitted to and approved in writing by the Local Planning Authority. The approved Pack shall be given to the occupants of each dwelling on first occupation.

Reason: *To encourage and promote the use of sustainable transport.*

11. No part of the development shall be first occupied until details of planting/ low level walls have been provided and approved in writing by the Local Planning Authority. Planting/walls adjacent to the access points should be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety having regard to policy 28 of the Adur Local Plan.*

12. No development above slab level shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roof 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 schedule.

Reason: *In the interests of visual amenity and to comply with policies 15 and 17 of the Adur Local Plan.*

13. Prior to the construction of any flintwork on site (including boundary walls) a sample of flintwork, indicating the colour, texture and pointing style of the mortar, shall be constructed on the site and inspected and approved in writing by the Local Planning Authority. Thereafter, the flintwork shall be constructed in accordance with the agreed sample panel which shall be retained on site until the development has been completed.

Reason: *To safeguard the character and appearance of the Conservation Area, in the interests of visual amenity and to comply with policies 15 and 17 of the Adur Local Plan.*

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14. No development above slab level shall be carried out unless and until details of the proposed windows and doors, including drawings and sections at a scale of 1:20 detailing the dimensions/ profiles/ proportions of the frames and glazing bars, the pattern of opening windows, the position of any trickle vents, the set back of the window from the external wall face; and the window heads and sills, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall only be installed in accordance with the approved details.

    Reason: *In the interests of visual amenity and to preserve and enhance the Conservation Area in accordance with Policies 15 and 17 of the Adur Local Plan.*

15. No development shall take place until details of all boundary walls have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be occupied until such walls have been constructed in accordance with the approved details and they shall thereafter be retained permanently.

    Reason: *In the interests of amenity and to comply with policies 15 and 17 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), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, AA, 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 policies 15 and 17 of the Adur Local Plan.*

17. The first floor windows in the rear elevation of Plot 1 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.*

18. The roof terraces hereby approved shall be restricted in size to the area shown on the site plan and there shall be no use of the remainder of the roof except for maintenance. Details of the means of preventing access to the non-terraced areas shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details prior to commencement of use of the terrace and thereafter be retained.

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

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19. No development above slab level shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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.

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

20. No development above slab level shall commence until details of energy efficiency measures to reduce carbon emissions from the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved measures have been fully implemented in accordance with the approved details.

    Reason: *To ensure that the development is sustainable and energy efficient having regard to policies 18 and 19 of the Adur Local Plan, Sustainable Energy SPD and the NPPF.*

21. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 105 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.*

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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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. You are advised that a Demolition Notice should be sent to the Council prior to any demolition works taking place.

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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.

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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).