Adur District Council

## Development Management

Mr Jonathan Sewell-Rutter
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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/0664/18

Details of Development
**REMODELLING OF EXISTING CHALET BUNGALOW TO CREATE NEW 2-STOREY DWELLING INCLUDING FIRST-FLOOR EXTENSIONS AND ALTERATIONS TO ALL ELEVATIONS WITH FIRST AND SECOND FLOOR BALCONIES AND EXTERNAL STAIRCASE.**

Location of Development
**108 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5HB**

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 15th May 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
31/07/2018

## 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 |
|---|---|---|
| STAIRCASE SCREENING STRATEGY | 1335 DT 01 | 23.07.2018 |
| PROP GRD & 1ST FLR & ROOF PLANS | 1335 GA 03 Rev C | 23.07.2018 |
| PROPOSED ELEVATIONS | 1335 GA 04 Rev B | 23.07.2018 |
| LOCATION & BLOCK PLANS | 1335 SI 01 Rev B | 23.07.2018 |
| 45 DEGREE SIGHTLINE | 1335 SI 02 | 23.07.2018 |
| PLANS & ELEVATIONS EXISTING | 1335 GA 01 Rev B | 15.05.2018 |

**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 be carried out unless and until a schedule/samples of materials and finishes to be used for the external walls (including windows and doors) and roof of the remodelled 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 policy 15 of the Adur Local Plan.*

04. The spiral staircase hereby approved shall, prior to occupation of the remodelled dwelling hereby permitted, be constructed and finished in accordance with the details contained in the approved drawings and shall include privacy screening as shown on drawing no. 1335 DT 01 received 23rd July. The staircase shall remain as such at all times unless prior written approval is given by the Local Planning Authority.

**Reason**: *In the interests of residential amenity and to accord with Policy 15 of the Adur Local Plan.*

05. The balcony privacy screens shown on Drawing No. 1335 DT 01 and Drawing No. 1335 GA 04 B shall be installed prior to occupation of the remodelled dwelling hereby permitted. The screens shall remain in place at all times unless written consent is given by the Local Planning Authority.

**Reason**: *In the interests of residential amenity and to accord with Policy 15 of the Adur Local Plan.*

06. The cill heights of the port holes and side windows at first floor shall be positioned at least 1.7 metres above finished floor level.

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

07. 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 east or west side walls of the building as remodelled.

**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.

02. The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

03. Precautionary land contamination

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method

statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

**Ref: AWDM/0664/18**

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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, and you want to appeal, then you must do so within 12 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).