ADUR DISTRICT COUNCIL

Mr Scott Theobold
Bold Architecture Design Ltd
14 Gladys Road
Hove
BN3 7GL

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1288/20

Details of Development
DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 2 DETACHED 4 BEDROOM DWELLINGS OVER 3 STOREYS EACH WITH DETACHED GARAGES AND ASSOCIATED LANDSCAPING WORKS.

Location of Development
42 BRIGHTON ROAD LANCING WEST SUSSEX BN15 8ET

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 18th August 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
16/10/2020

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 LOWER GROUND FLOOR	A1.0 A	13.10.2020
PROPOSED SECTION AA	A1.3 B	13.10.2020
PROPOSED EAST ELEVATIONS	A1.6 B	13.10.2020
PROPOSED BLOCK PLAN	A1.9 C	13.10.2020
PROPOSED GROUND FLOOR	A1.1 A	13.10.2020
PROPOSED SITE PLAN	A1.4 A	13.10.2020
PROPOSED REAR ELEVATION	A1.7 C	13.10.2020
DESIGN & PLANNING STATEMENTS	A1.10 B	13.10.2020
PROPOSED FIRST FLOOR PLAN	A1.2 B	13.10.2020
PROPOSED FRONT ELEVATION	A1.5 C	13.10.2020
PROPOSED WEST ELEVATIONS	A1.8 B	13.10.2020
EXISTING ELEVATIONS	8868/02 REV A	18.08.2020
DAYLIGHT REPORT	VERSION 1	18.08.2020
FLOOD RISK ASSESSMENT		02.10.2020

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.*

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03. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces 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.*

04. 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 policy 28 of the Adur Local Plan.*

05. No part of the development shall be first occupied until the electric vehicle charging spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide sustainable travel options in accordance with West Sussex 'Guidance on Parking at New Developments'.*

06. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal 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 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.*

07. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement 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;

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(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.*

08. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment and the mitigation measures contained within it in Section 9.

No part of the lower ground floor of the building shall at any time be used for sleeping accommodation.

Reason: *To reduce the risk of flooding and in the interests of the safety of the occupants having regard to the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

09. 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 and B 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.*

10. There shall be no alteration to ground levels within the site unless and until details have been submitted to and approved in writing by the local planning authority. These details shall include proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed levels to existing. Any such works shall be carried out in accordance with the agreed details and completed prior to occupation of the buildings comprised in the development or in accordance with an implementation programme approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and the environment and to ensure there is no change to the flood defences and to comply with policies 15, 30 and 36 of the Adur Local Plan.*

11. Prior to commencement of development details of privacy screens for the sides of the proposed terraces shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to commencement of use of the terraces and shall thereafter be retained.

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

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12. The windows in the side elevations of the dwellings hereby approved 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.*

13. No works or development 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.*

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 andat the location and depth of the proposed structures. The percolation tests must be carried out in accordance withBRE 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 details regarding our requirements are available on the following webpagehttps://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. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

    For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,
    West Sussex, BN13 3NX (Tel: 0330 303 0119).
    Website: southernwater.co.uk by email at:
    SouthernWaterPlanning@southernwater.co.uk

04. The Environment Agency strongly recommends the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage

05. 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).