ADUR DISTRICT COUNCIL

Phil Rowe
PROwe Planning Solutions
Melton Lodge, Rusper Road
Newdigate
Dorking
Surrey
RH5 5BX

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0002/23

Details of Development
ERECTION OF 2 NO. 2 BED DWELLINGS FOLLOWING DEMOLITION OF EXISTING OFFICES, IN THE ALTERNATIVE TO PERMISSION REF: NOTICE/0021/22 FOR CHANGE OF USE FROM COMMERCIAL, BUSINESS AND SERVICE (USE CLASS E) TO FORM 1NO. 4-BEDROOM RESIDENTIAL UNIT (USE CLASS C3).

Location of Development
HEALTHLINK HOUSE THE ANNEXE SOUTHWICK STREET SOUTHWICK WEST SUSSEX

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 5th 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
22/05/2023

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
EXISTING LOCATION PLAN & PROPOSED BLOCK PLAN	2208SW_R0_000 R2	27.04.2023
EXISTING & APPROVED GROUND FLOOR PLAN	2208SW_R2_100 R2	27.04.2023
EXISTING & APPROVED EAST & NORTH ELEVATIONS	2208SW_R2_101 R1	27.04.2023
EXISTING & APPROVED WEST & SOUTH ELEVATIONS	2208SW_R2_102 R1	27.04.2023
PROPOSED PLOT 1 FLOOR PLANS (Plot 2 handed)	2208SW_R2_200 R2	27.04.2023
PROPOSED PLOT 1 ELEVATIONS (Plot 2 handed)	2208SW_R2_201 R2	27.04.2023
PROPOSED PLOT 2 FLOOR PLANS	2208SW_R2_202 R0	27.04.2023
PROPOSED PLOT 2 ELEVATIONS	2208SW_R2_203 R0	27.04.2023
MATERIALS SCHEDULE	2208SW_R2_300 R1	27.04.2023
EXISTING LOCATION PLAN & PROPOSED BLOCK PLAN (COMBINED)	2208SW_R0_000 R2	27.04.2023

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 external materials and finishes of the development hereby permitted shall, prior to commencement of use of the floorspace thereby created, be completed in accordance with the details shown on the approved plans to include black metal windows, clay roof tiles, bonnet hip tiles, flint and brick quoin, conservation roof lights and black metal railings to Juliet balcony. The courtyard detailing shall be in accordance with the approved plans to include block paving, planting, parking and storage unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed Buildings and to comply with policy 15, 16 and 17 of the Adur Local Plan.*

04. No means of enclosure shall be erected to the front of the dwelling or within the courtyard area, without prior written consent from the Local Planning Authority.

Reason: *To preserve the character and appearance of the Conservation Area and setting of the Grade II listed buildings and to accord with policies 15, 16 and 17 of the Adur Local Plan.*

05. 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 externally altered in anyway [or any incidental building over 5 cubic metres in volume erected within its curtilage].

Reason: *To preserve and enhance the character and appearance of the Conservation Area and the setting of the Listed Buildings and to accord with Policies 15, 16 and 17 of the Adur Local Plan.*

06. The buildings hereby approved shall not be occupied until the access and parking has been provided in accordance with the approved plans. Such provision shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of highway safety.*

07. The secure, covered cycle parking and refuse storage as shown on the plans shall be provided prior to commencement of use of the dwelling hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and policies 15 and 28 of the Adur Local Plan.*

08. 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;
(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.*

09. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On all other days such work shall only be undertaken between the hours of 8am and 6pm except for Saturday which shall only be between the hours of 9am and 1pm.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.*

10. The existing mature Ash tree to the north east of the site within the adjacent garden shall be protected for the duration of construction works and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any roots discovered during construction shall be protected with details to be submitted to and approved by the Local Planning Authority.

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

11. 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 protect the area from surface water flooding.*

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. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

03. The applicant is advised that in addition to obtaining planning permission they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

    https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

    Online applications can be made at the link below, alternatively please call 01243 642105.

    https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

04. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

05. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Ref: AWDM/0055/23 Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. 01903 221479

06. The developer is advised to contact the Environmental Health section of Adur & Worthing Councils for a Demolition Notice prior to any demolition work.

07. 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 2 available on the following webpage

https://www.adurworthing.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

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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).