Adur District Council

Development Management

Mr Clive Hawkins
Clive Hawkins Architects Ltd
114 Mackie Avenue
Brighton
BN1 8RD

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0969/17

Details of Development
CONVERSION AND ENLARGEMENT (INCLUDING SECOND- FLOOR ROOF EXTENSION AND ENLARGEMENT OF REAR TOWER) TO PROVIDE 12 NO. SELF-CONTAINED FLATS ON REAR GROUND, FIRST, SECOND AND THIRD FLOORS INCLUDING ASSOCIATED ELEVATION ALTERATIONS, BALCONIES AND ROOF TERRACE TOGETHER WITH REAR PARKING, BIN AND CYCLE STORAGE, REPLACEMENT SHOPFRONT AND NEW ENTRANCE LOBBY TO FLATS.

Location of Development
THE LUXOR CENTRE STATION PARADE SOUTH STREET LANCING WEST SUSSEX BN15 8AA

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 3rd July 2017.

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
05/04/2018

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 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
PROP SECOND & THIRD FLOOR PLANS	02 Rev A	03.07.2017
REAR & SOUTH ELEVATIONS	04 Rev B	03.07.2017
SECTIONS A-A & B-B	05	03.07.2017
EXISTING & PROPOSED SECTION C-C	06	03.07.2017
SECTIONS D-D & E-E	07	03.07.2017
PROPOSED REAR ELEVATION WITH BIN	08	03.07.2017
EXISTING GRD & FIRST FLOOR	09 Rev A	03.07.2017
EXISTING 2ND & ROOF PLAN	10	03.07.2017
LOCATION & BLOCK	Loc Plan Rev A	21.11.2017
PROP GROUND & FIRST FLOOR PLANS	01 Rev F	21.11.2017
FRONT & NORTH ELEVATIONS	03 Rev d	05.07.2017

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. (a) No development of the residential flats shall be carried out unless and until a schedule and samples of materials, colours and finishes to be used for the external alterations to the existing building (including roof extension, new and replacement windows and doors) have been submitted to and approved in writing by the Local Planning Authority and thereafter the residential development shall be completed in accordance with the approved schedule and samples.
(b) No development of the re-configured shops units shall be carried out unless and until a schedule and samples of materials, colours and finishes to be used for the external alterations to the shopfronts has been submitted to and approved in

writing by the Local Planning Authority and thereafter the shopfronts shall be completed in accordance with the approved schedule and samples.

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

04. Prior to the commencement of the residential development hereby permitted, a specification and or scaled drawings and sections detailing the:-
i) design of the balcony and roof terrace railings/balustrades;
ii) a capping and/or profiled trim or edging to the roof of the roof extension;
iii) removal and making good of the existing redundant fire escape stairs;
iv) refurbishment of the features of the existing building including the decorative 'statues' and LUXOR lettering on the front elevation.

Thereafter the development shall only be carried out in accordance with the agreed details. No dwelling shall be first occupied unless and until the agreed specification of works in i) to iv) above have been carried out and completed.

Reason: *To safeguard the character of the building having regard to policy 15 of the Adur Local Plan.*

05. A specification and/or scaled drawings and sections of the proposed replacement windows, French doors and external doors detailing their design, dimensions, profiles, sub-divided proportions with glazing bars, pattern of opening, the position of any trickle vents, the set back of the window from the external wall face, and window heads and cills, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied unless and until such replacement windows, French doors and external doors as have been agreed have been installed and shall thereafter be retained.

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

06. No development of the residential flats hereby permitted shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the residential flats or the completion of the residential development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development 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. The approved details of hard landscaping shall be completed prior to occupation of the residential flats.

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

07. Details of the walls and/or fences enclosing the private garden of the ground-floor flat (Flat 1) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied until such walls and/or fences as have been agreed have been erected and they shall thereafter be retained.

Reason: *In the interests of amenity and to comply with saved policy 15 of the Adur Local Plan.*

08. Details of the communal facilities for storing refuse and waste, including for waste that can be recycled, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied until facilities as have been agreed have been provided shall thereafter be retained and used only for their designated purpose.

Reason: *In the interests of amenity and the environment having regard to policy 15 of the Adur Local Plan.*

09. Details of secure, covered cycle storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied unless and until the cycle storage provision has agreed has been provided and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport.*

10. The residential flats shall not be occupied until the parking spaces (including with at least one installed EV charge point) shown on the submitted plans have been allocated to either one or more of the residential flats and/or the ground-floor shop(s) and such allocation clearly demarcated by signage or marking(s) on the ground. The areas of land so provided and allocated shall not thereafter be used for any purpose other than parking of vehicles incidental to the use of the shops and/or proposed dwellings.

Reason: *In the interests of amenity and highway safety.*

11. Construction of the residential development hereby permitted shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: *To ensure the development is satisfactorily drained.*

12. 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 ground-floor shop premises shall be used only for retail within Class A1 of the Town and Country Planning Use Classes Order 1987 as amended (or any Order revoking and re-enacting that Order with or without modification), and for no other use or purpose.

Reason: *In the interests of amenity having regard to policy 15 of the Adur Local Plan.*

13. 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) measures to control the emission of dust and dirt during construction;
and
(v) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: *In the interests of highway safety and amenity.*

14. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 08.00 and 1300 hrs on Saturdays. No work shall take place on Sundays or on Bank or Public Holidays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties.*

15. No roof plant or other externally-sited plant or machinery (including air conditioning/handling equipment) shall be fixed or fitted to, or installed on the building, unless approved by the Local Planning Authority in an application made on that behalf.

Reason: *In the interests of amenity and the environment having regard to policy 15 of the Adur Local Plan.*

16. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 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 19 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. 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 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. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk

03. A formal application for connection to the water supply is required in order to service this development. The applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

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 discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

05. 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, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

06. Regulation 4 of the Control of Asbestos Regulations (2012) requires owners/occupiers of non-domestic premises to identify and manage asbestos. In order to manage the risk from asbestos, a suitable and sufficient assessment

must be carried out in order to ascertain whether asbestos is present in the premises. Any risk from asbestos must be determined and the proposed management method(s) specified in writing. This information must be provided prior to works commencing.

07. The applicant is advised that no consent is granted by this permission for the neon sign shown on the approved Drawing No: 3 Rev d. Any external illuminated signage fitted at high level on the building in the position shown will require an application for advertisement consent.

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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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

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.

7. 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.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. 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).