ADUR DISTRICT COUNCIL

Ms Niki Fisher
Boutique Modern
3-7 Newhaven Industrial Park
Beach Road
Newhaven
East Sussex
BN9 0BX

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1727/23

Details of Development
DEMOLITION OF EXISTING GARAGES; ERECTION OF 9NO. DWELLINGS AND ASSOCIATED WORKS. APPLICATION TO VARY CONDITION 1 (PLANS) TO PREVIOUSLY APPROVED AWDM/0827/22.

Location of Development
GARAGE BLOCK 88 TO 97 DANIEL CLOSE LANCING 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 10th January 2024.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Gary Peck
Planning Services Manager
12/03/2024

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
PRELIMENARY PROPOSED GF BLOCK PLAN	0013 REV P8	16.01.2024
PRELIMINARY PROPOSED GF BLOCK PLAN	0010 REV P12	16.01.2024
SITE SET UP LOCATION		05.03.2024
PLANNING CONDITIONS TRACKER		05.03.2024
ACCESS,PEDESTRIAN & TRAFFIC MANAGEMENT PLAN	P.113 GCDC	05.03.2024
PLANNING CONDITIONS LETTER		05.03.2024
SITE PLAN-SITE LOGISTICS PLAN DC	P133 0005 P3	05.03.2024
SITE PLAN-SITE LOGISTICS PLAN GC	P133 0006 P1	05.03.2024
PRELIMENARY SITE PLAN	0000 REV P13	10.01.2024
PRELIMENARY LOCATION PLAN	0003 REV P4	10.01.2024
PROPOSED FF BLOCK PLAN	0011 REV P11	10.01.2024
PROPOSED SITE WIDE SECTIONS 1	0100 REV P6	10.01.2024
PROPOSED SITE WIDE SECTIONS 2	0101 REV P5	10.01.2024
PRELIMENARY ELEVATIONS - BLOCK A	0150 REV P11	10.01.2024
PRELIMENARY ELEVATIONS - BLOCK B	0151 REV P11	10.01.2024
TYPICAL DETAILS-WINDOW OPENING	0615 REV P2	10.01.2024
TYPICAL DETAILS-DOOR OPENING	0616 REV P3	10.01.2024
CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN	P133 REV A	10.01.2024
SITE PLAN-SITE LOGISTICS PLAN	0005 REV P3	10.01.2024
TYPICAL DETAILS-WINDOW OPENING	0615 REV P3	10.01.2024

Reference/Drawing Number	Version	Date Rec
TYPICAL DETAILS-DOOR OPENING	0616 REV P4	10.01.2024
TYPICAL DETAILS-EXTERNAL WALL DETAILS 1	0630 REV P1	10.01.2024
MATERIALS SPEC-BUYING	REV 03	10.01.2024
WBS MODULAR		10.01.2024
WBS BRICK SLIP SYSTEMS		10.01.2024
IG DOORS BROCHURE		10.01.2024
IG DOORS COLOUR CHART		10.01.2024
MARLEY SOLAR TILE BROCHURE		10.01.2024
MARLEY PRODUCT CATALOGUE		10.01.2024
REHAU SPEC GUIDE		10.01.2024
TOTAL 70 BROCHURE		10.01.2024
REMEDATION STRATEGY	C16281 R15900	10.01.2024
DRAINAGE LAYOUT	23095-BDC-C-0515 REVP02	10.01.2024
SUDS MAINTENANCE PLAN	23095-BDC-C-XX-XX-RP-000	10.01.2024
ACCESS,PEDESTRIAN & TM PLAN	P.113	10.01.2024
INFODRAINAGE RESULTS		31.01.2024
DRAINAGE SPREADSHEET		31.01.2024
DRAINAGE LAYOUT	23095-BDC-C-0510 REVP03	31.01.2024

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 part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with plans and details submitted to and approved by the LPA.

Reason: To provide adequate on-site car parking space for the development.

04. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

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

05. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with current national sustainable transport policies.

06. The site set up during construction (including details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development) shall be implemented in accordance with plans submitted on 6 March 2024. The approved provision shall be implemented and retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

07. The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated 10/08/2022, v1.8, Ref: 15945/02/HOP/SUDS) and first floor plans (Ref: P133-BMH-XX-01-DR-A-0011-Prelimenary-P14-Proposed FF Block Plan) and the following mitigation measures detailed therein:

Finished first floor levels must be set no lower than 6.7 metres above Ordnance Datum (AOD) to allow safe refuge above design flood levels.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

08. 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 the site is adequately drained.

09. Development, other than demolition, 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 maintenance and management of the surface water drainage system.

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and reenacting that Order with or without modification), no windows or other openings shall be formed in the eastern and western walls of the approved dwellings.

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

11. No works or development, other than demolition, shall take place until full details of all hard and soft landscaping works (including the provision of bollards protecting the triangular green space) 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 Ref: AWDM/0827/22 others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure adequate landscaping is provided.

12. No development, other than demolition, shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roofs of the proposed buildings have 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.

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and reenacting that Order with or without modification), the proposed dwellings shall not be extended [or any incidental building over 5 cubic metres in volume erected within its curtilage].

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.

14. The hours of construction to implement the development hereby permitted shall be limited to 0900 to 1700 hours Monday to Friday, 0900 hours to 1300 hours on Saturday and there shall be no working on Sundays or Bank/Public Holidays.

Reason: In the interests of the amenities of neighbouring properties.

15. Construction of the development, other than demolition, 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.

Reason: To ensure adequate means of foul sewerage and surface water disposal.

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter an S278 legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. As part of these works it will also be necessary to apply for a street works license from the Street Works team (street.works@westsussex.gov.uk). The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence the S278 process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

03. 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.

Ref: AWDM/1727/23

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

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 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).