ADUR DISTRICT COUNCIL

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BN133UT

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1653/23

Details of Development
CONVERSION AND EXTENSION OF EXISTING 2NO. FLATS (174 AND 174A) TO FORM 1NO. 3 BED DWELLING HOUSE AND NEW 3-STOREY ATTACHED 2 BED DWELLING INCLUDING REMOVAL OF PITCHED ROOF AND CONSTRUCTION OF NEW SECOND FLOOR FLAT ROOFED EXTENSION; 3 STOREY SIDE AND REAR EXTENSIONS WITH REAR BALCONIES AT FIRST AND SECOND FLOOR; FORMATION OF 2 NO. OFF ROAD PARKING SPACES

Location of Development
174 BRIGHTON ROAD LANCING WEST SUSSEX BN15 8LL

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 30th November 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
09/02/2024

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
FLOOD RISK ASSESSMENT	AEG3230_BN15_Adur_01	18.01.2024
DESIGN, ACCESS & PLANNING STATEMENT	REVISED	09.02.2024
PROPOSED PLANS & ELEVATIONS 1	Drg 02 REV B	09.02.2024
PROPOSED PLANS & ELEVATIONS 2	Drg 02 REV B	09.02.2024
EXISTING PLANS & ELEVATIONS	Drg 01	30.11.2023

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 building shall be completed in materials as shown on the approved plans to include grey render, black window and door frames and corrugated sheet grey cladding unless otherwise approved in writing by the Local Planning Authority.

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

04. No additional openings shall be installed on the east or west elevation of the building. The openings hereby permitted shall be installed in accordance with the details shown on the approved plans to be obscurely glazed and high level were specified and shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: *To protect the amenities of the occupiers of the new development and those adjacent and to accord with Policy 15 of the Adur Local Plan.*

05. Prior to commencement an Air Source Heat Pump acoustic report shall be submitted to the Local Planning Authority for approval. This report shall show that the installation of every heat pump across the development site shall comply with the Chartered Institute of Environmental Health and Institute of Acoustic's guidance: 'Heat Pumps, Professional Advice note.' The report shall outline that the rating level from ASHPs, including the cumulative impact of multiple ASHPs if relevant, shall not exceed 35dB LAeq,15min at any noise sensitive façade of a neighbouring residential premises. If it is not practical to achieve this value for any

of the heat pumps, and the local context supports a relaxation, then a report providing a full justification as to why such a relaxation in rating level is required, shall be submitted in writing to the Local Authority for approval.

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

06. Prior to installation, full details of the ASHP and PV panels shall be submitted to an approved by the Local Planning Authority. Work shall be carried out in accordance with such details unless otherwise approved in writing by the Local Planning Authority.

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

07. The balconies hereby approved shall not be used until the obscurely glazed privacy screens have been installed in accordance with the approved plans. Unless otherwise approved in writing by the Local Planning Authority.

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

08. 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 to be submitted to and approved by the Local Planning Authority.

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

09. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use.*

10. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's),
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,

- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- methods to control dust from the site,
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites,
- details of public and neighbour engagement both prior to and during construction works.

Reason: *As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.*

11. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external traffic noise has been submitted to and approved by the Local Planning Authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the ProPG: Planning & Noise - New Residential Development, 2017 and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should be of good acoustic design, include full details of glazing and where necessary strategies to prevent overheating. The noise level of any MVHR ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

    Reason: *To protect the residential amenities of the occupiers of the proposed development and to accord with Policy 15 of the Adur Local Plan.*

12. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: AEG3230_BN15_Adur_01 Flood Risk Assessment, prepared by Aegaea) and the following mitigation measures it details:

    Sleeping accommodation is to be located on the first floor or above.

    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.*

13. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

    Monday - Friday 08:00 - 18:00 Hours
    Saturday 09:00 - 13:00 Hours

Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the residential amenity of the area.*

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. 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

04. 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/

05. The applicant is advised that where possible SuDS should be considered in order to achieve runoff betterment.

Ref: AWDM/1653/23

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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).