ADUR DISTRICT COUNCIL

Mr Jon Murch
Davies Murch
86-90 Paul Street
London
EC1A 4NE

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1281/19

Details of Development
DEMOLITION OF EXISTING BUILDING AND STRUCTURES AND CONSTRUCTION OF BUILDING RANGING IN HEIGHT FROM THREE TO SIX STOREYS PROVIDING 74 RESIDENTIAL UNITS COMPRISING 28NO. 1 BEDROOM, 40NO. 2 BEDROOM AND 6 NO. THREE BEDROOM UNITS, INCLUDING 27 CAR PARKING SPACES 3 OF WHICH ARE WHEELCHAIR ACCESSIBLE, 86 CYCLE PARKING SPACES, AMENITY SPACE, SOFT AND HARD LANDSCAPING AND ASSOCIATED ANCILLARY FACILITIES.

Location of Development
MANNINGS SURRY STREET SHOREHAM-BY-SEA 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 19th August 2019.

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
15/10/2021

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 GROUND FLOOR PLAN	Drg No 02-100 Rev B	18.10.2019
PROPOSED FIRST AND SECOND FLOOR PLAN	Drg No 02-101 Rev B	18.10.2019
PROPOSED THIRD FLOOR PLAN	Drg No 02-103 Rev B	18.10.2019
PROPOSED FOURTH FLOOR PLAN	Drg No 02-104 Rev B	18.10.2019
PROPOSED FIFTH FLOOR PLAN	Drg No 02-105 Rev B	18.10.2019
BLOCK PLAN EXT AND PROPOSED WITH KEY DISTANCES	Drg No 02-011	27.08.2019
SITE LOCATION - EXISTING	Drg No 01-010 Rev A	19.08.2019
PROPOSED ROOF PLAN	Drg No 02-106 Rev A	19.08.2019
PROPOSED WEST ELEVATION	Drg No 03-102 Rev A	19.08.2019
PROPOSED REAR ELEVATIONS (courtyard and sections)	Drg No 03-104 Rev A	19.08.2019
PROPOSED EAST ELEVATION SURRY STREET	Drg No 03-101 Rev C	18.12.2019
PROPOSED NORTH ELEVATIONS HAM ROAD	Drg No 03-102 Rev C	18.12.2019
PROPOSED SOUTH ELEVATIONS	Drg No 03-103 Rev C	18.12.2019

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. **Materials, Detailing and Obscure Glazing**

With the exception of any demolition works or works below ground level, no development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out and permanently maintained in full accordance with details thereby approved:

a) details and samples of the materials to be used on all external faces of the building including colours and finishes;

b) details, including 1:20 drawings and profiles of external doors; windows doors and frames; roof intersections, soffits, parapets & cappings; and external hand-rails;

c) details, including 1:20 drawings and profiles of balustrades and balcony screens, (which shall be at least 1.25m in height above the balcony floors) and balcony soffits; balcony screens on the south elevation shall also be designed of such material and type as to minimise risk of overlooking of neighbours to the south;

d) details of obscure glazing (equivalent to Pilkington level 4 obscuration) to the three corridor/landing and staircase windows at the fifth floor on the south elevation, which shall also be fixed and unopenable up to at least 1.7m above internal floor level;

e) external utility cabinets, their location, size, design, materials, colours and finish and any associated ducting.

This condition shall apply notwithstanding any information contained in the current application

Reason: *In the interests of visual amenity, the character of the setting of the Shoreham conservation area, the setting of listed buildings and to safeguard neighbouring amenities and privacy in accordance with policies 15 & 17 of the Adur Local Plan 2017.*

Landscaping, Biodiversity and Enclosures

04. With the exception of any demolition works or works below ground level, no development shall take place until a detailed scheme and timetable of landscaping has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a) landscape planting, including species, size and number or planting densities,
b) measures for the enhancement of biodiversity,
c) indications of all existing trees at or immediately outside the site boundary and tree protection measures,
d) ground surfacing materials: type, colour, texture and finish,
e) any means of enclosure or gates: type, height, material and colour,
f) a maintenance plan to ensure establishment of this detailed scheme of landscaping.

These details and timetable shall be adhered to throughout the course of development works. All planting, seeding, turfing, biodiversity enhancement measures and ground surfacing comprised in the approved details of landscaping, shall be carried out in accordance with the timetable thereby approved and any vegetation or biodiversity measures or surfacing 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 type, size & species.

Reason: *To enhance the character and appearance and biodiversity value of the site in accordance with Policies 15 & 31 of the Adur Local Plan 2017.*

05. a) No means of enclosure forward of any part of any elevation of the building hereby approved which fronts onto either Ham Road, Surry Street or the side service road leading westward from Surry Street, shall be erected or increased in height or changed in type, height or material from any which are approved under condition 5.v) of this notice of Permission, unless details have first been submitted to and approved in writing by the Local Planning Authority and this condition shall apply notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town And County Planning (General Permitted Development) Order 2015, or any Order revoking or re-enacting that Order.

b) The balustrade rail on the roof of the third floor (4th storey) of the southern elevation, which is shown on the Proposed Roof Plan drawing 02-106 Rev A shall be inset 1 metre further northwards from the from the southern edge of this roof (2.8 metres overall) and this condition shall apply notwithstanding any other information contained in the current application.

Reason: *To avoid inappropriate means of enclosure which may harm the appearance and character of the development and its setting, which includes the Ham Road Conservation Area and the setting of listed buildings and in the interests of neighbouring amenities and privacy in accordance with policies 15 & 17 of the Adur Local Plan 2017.*

Highway and Access Matters

06. a) No part of the development hereby approved shall be first occupied until vehicle parking spaces have been constructed and provided in accordance with the approved plans, including at least one space to be clearly identified and used for a car club vehicle only. One future reserve car club parking space shall also be made available and clearly identified for use as a car club space in the future upon the future written request of the Local Planning Authority. The locations of the car club space and future reserve car club space shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

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b) The vehicle parking spaces referred to at i) above shall include the provision of cabling to supply for the charging of electric vehicles at all parking spaces, with seven of these provided with active charging apparatus when the development is first occupied. This shall accord with details of the electric vehicle charging cabling and apparatus, including power and charging rating and design, which shall first be submitted to and shall first.

These spaces shall thereafter be retained at all times for their designated use.

Reason: *To provide car-parking space for the use of the development including provision for electric vehicles and car club vehicles in accordance with Policy 28 of the Adur Local Plan 2017 and Guidance on Parking at New Developments, May 2019 (Published by West Sussex County Council in August 2019).*

07. With the exception of any demolition works, no development shall take place until construction details of the vehicular access and manouevring and parking areas within the site and their surface water drainage, including engineering cross sections and specifications, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details thereby approved and permanently maintained and retained.

Reason: *To ensure provision of robust and drained access, parking and manoeuvring areas, including suitability for servicing, refuse and emergency vehicles, including sustainable drainage where appropriate.*

08. No gate to the rear vehicle parking area from the side service road leading westward from Surry Street shall be positioned closer than 4 metres from edge of the metaled surface of the service road and shall not opened outwards (towards the service road). Details of any secure entry system shall first be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details thereby approved and permanently maintained and retained thereafter.

Reason: *In the interests of vehicular and pedestrian safety, to ensure sufficient space for vehicles entering or leaving the parking area to be clear of other service road traffic and in the interests of site security.*

09. No part of the development hereby approved shall be first occupied until cycle parking and storage, including a the secure cycle shed, have been provided in full accordance with plans and details, including design and security arrangements for the cycle shed, which shall first 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.*

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10. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented and monitored as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: *To encourage and promote sustainable transport in accordance with Policy 28 of the Adur Local Plan 2017.*

11. **Refuse and Recycling**

No part of the development shall be first occupied until the internal refuse storage space has been provided in accordance with the approved plans and shall be permanently retained and maintained thereafter.

Reason: *To ensure adequate internal storage space for refuse in accordance with policy 15 & 18 of the Adur Local Plan 2017 and the interests of Highway safety and residential and neighbour amenities.*

12. **Fire Hydrant**

No part of the development hereby approved shall be first occupied until fire hydrant provision has been made in full accordance with plans and details shall first be submitted to and approved by the Local Planning Authority.

Reason: *In the interests of safety and residential amenities.*

13. **Drainage**

i) With the exception of any demolition works, no development shall take place until:

a) full details of the proposed means of foul and surface water sewerage disposal including a timetable, to ensure the provision of adequate capacity and that sewer works as part of this development align with sewerage network reinforcement, have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water;

b) full details of a Sustainable Drainage (SuDS) system as part of surface water drainage, have been submitted to, and approved in writing by, the Local Planning Authority this shall include surface water drainage designs and calculations for the site which 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. Details should demonstrate that the surface water runoff generated up to and including the 1:100 year, (plus allowance for climate change), critical storm will not exceed and may reduce the run-off from the current site following the corresponding rainfall event;

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c) full details of the maintenance and management of the SuDS system including a site-specific maintenance manual The manual shall 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

All drainage and sewerage details, including the SuDS system shall be implemented in accordance with the details approved under 13.a) & 13.b) of this condition before the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter in accordance with the details approved under 13.c) of this condition.

ii) Prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by a drainage engineer that confirms that the scheme was built in accordance with the approved drawing/s.

Reason: *To ensure that the proposed development is satisfactorily drained and managed in accordance with Policy 36 of the Adur Local Plan 2017 and para 169 of the National Planning Policy Framework, 2021.*

14. **Sustainable Energy**

With the exception of any demolition works, no development shall take place above ground until the following details have been submitted to and approved in writing by the Local Planning Authority, and all development pursuant to this permission shall be carried out in accordance with the details approved under this condition:

a) Details which identify the supply of all initial space heating and hot water in the buildings by a centralised, communal wet system;
b) Details which identify and safeguard plant room space for the future installation of heat interface equipment, and/or other plant, required for future connection to the future Shoreham Heat Network;
c) Details of a safeguarded pipe run into, though, and out of the site to connect the plant room (s) with the proposed heat network;
d) A strategy to facilitate the connection of the network to the development, including provisions to enable transition from the initial heating system to a system connected to the Shoreham Heating Network ; and
e) A strategy to facilitate access to the site and plant rooms for the heat network developer to carry out works required to connect the site to the Shoreham Heat Network, lay underground infrastructure within the roads, footpaths, parking areas, open space and common or public areas of the development, and carry out repair and maintenance work to any heat network infrastructure.

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Reason: *To enable the delivery and operation of the planned Shoreham Heat Network having regard to Policy 19 of the Adur Local Plan and paragraph 154 and 157 of the National Planning Policy Framework, 2021.*

Noise

15. With the exception of any demolition works, no development shall take place until details of a sound insulation scheme for protecting the proposed residential flats and neighbouring dwellings from noise or vibration from any plant or tank rooms or lift mechanism have been submitted to and approved by the Local Planning Authority. The objective of the sound insulation scheme shall be to ensure that noise from these facilities is inaudible in any of the new flats and in any of the existing neighbouring properties.

Reason: *To protect future and existing occupiers from noise disturbance in accordance with Policies 15 & 34 of the Adur Local Plan 2017.*

16. With the exception of any demolition works, no development shall take place until details of a sound insulation scheme for protecting the proposed residential flats and neighbouring dwellings from noise or vibration from any plant or tank rooms or lift mechanism have been submitted to and approved by the Local Planning Authority. The objective of the sound insulation scheme shall be to ensure that noise from these facilities is inaudible in any of the new flats and in any of the existing neighbouring properties.

Reason: *To protect future and existing occupiers from noise disturbance in accordance with Policies 15 & 34 of the Adur Local Plan 2017.*

17. **Light**

Details of any external lighting (if required), shall first be submitted to and approved in writing by the Local Planning Authority, and implemented only in accordance with the details thereby approved. It shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: *Reason: To safeguard the residential amenities of the area and minimise light pollution in accordance with Policy 19 of the Adur Local Plan.*

18. **Aerials**

Prior to the first occupation of the development hereby approved, details of any external aerial/antenna and / or satellite dish (if any), shall first be submitted to and approved by the Local Planning Authority. Thereafter no other external aerial/antenna or satellite dish shall be installed on any building unless details have first been submitted to and approved by the Local Planning Authority.

Reason: *To avoid multiple aerial/antenna and / or satellite dishes, in order to safeguard the appearance of the development and the setting of the Shoreham Road Conservation Area and Listed Buildings in accordance with Policies 15 & 17 of the Adur Local Plan.*

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19. **Levels and Accessibility**

With the exception of any demolition works, no development shall take place until a survey and plan of existing and proposed site and slab levels, including provision of access for people with disabilities, has been submitted to and approved in writing by the Local Planning Authority. Development shall accord with the details thereby approved and thereafter no other raising of levels shall be carried without the prior written approval of the Local Planning Authority. This condition shall apply notwithstanding any information contained in the current application.

Reason: *In the interests of clarity and because changes in levels may materially affect the appearance and impact of the development.*

20. **Construction Management**

Prior to the commencement of development, (including demolition works) a Construction Environment Management Plan in respect of these works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire development works period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

a) the anticipated number, frequency and types of vehicles used during construction,
b) the method of access and routing of vehicles during construction and avoiding Air Quality Management Areas
c) the parking of vehicles by site operatives and visitors,
d) the loading and unloading of plant, materials and waste,
e) 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),
f) the storage of plant and materials used in construction of the development,
g) measures to minimise nuisance from noise, dust and fumes,
h) measures to minimise risk of pollution and spillages,
i) the erection and maintenance of security hoarding including information about and images of the development,
j) details of public engagement, including neighbours both prior to and during construction works to assist in the mitigation of risks of nuisance.

Furthermore, demolition and construction works shall not take place outside 07.30 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 13.00 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: *In the interests of highway safety and the amenities and air quality management of the area in accordance with Policies 15, 28 & 34 of the Adur Local Plan.*

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21. **Air Quality**

With the exception of demolition and clearance works, no development hereby permitted shall take place unless and until an Air Quality Emissions Mitigation Assessment has been submitted to and approved in writing by the Local Planning Authority, including all operational phase air quality mitigation measures. Any mitigation measures shall be at least equal to the value identified in the emissions mitigation assessment. Any on-site mitigation measures shall be implemented in the development hereby approved and maintained thereafter.

Reason: *To minimise emissions and impact on air quality in accordance with Policy 34 of the Adur Local Plan 2017 and paras 174 and 186 of the National Planning Policy Framework, 2021.*

22. **Archaeology**

No development shall commence within the site until:

a) A written scheme of investigation (archaeological work) which should include on-site field survey and recording and the analysis reporting publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority;

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: *To enable the recording of heritage assets of archaeological interest in accordance with policy 17 of the Adur Local Plan 2017 and paragraph 194 of the National Planning Policy Framework, 2021.*

Remediation and Foundations

23. With the exception of any demolition works and unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until details of any foundation design using piling or penetrative methods have been submitted and approved in writing by the Local Planning Authority to show that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: *To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the National Planning Policy Framework. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.*

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24. Prior to commencement of the development hereby approved (or such other date or stage of the development as may first be agreed in writing with the Local Planning Authority), the following components (i-iv) of a Remediation Scheme to deal with the risks associated with contamination of the site, as an addition to or amendment of the information contained in the Geo-Environmental Assessment Report by Clancy Consulting dated June 2019 Reference: 10/1380/002, shall each be submitted as to and approved in writing by the Local Planning Authority and shall thereafter be adhered to in the development:

i A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;

ii A site investigation scheme, based on (i) above, and including further testing and sampling results (such as carbon banding and gas monitoring) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

iii The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken;

iv A Verification Plan providing details of the data that shall be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This shall include a timetable for the production of a Verification Report

Any changes to these components (i - iv) shall require the express consent of the Local Planning Authority.

Reason: *To prevent harm to human health in accordance with paras 183 - 185 of the National Planning Policy Framework 2021 and Policy 34 of the Adur Local Plan 2017.*

25. A Verification Report demonstrating completion of the works contained in the Remediation Strategy and Remediation Scheme, under condition 24 of this Permission and the effectiveness of remediation shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timetable approved as part of that condition. The report shall include results of sampling and monitoring carried out in accordance with the approved Verification Plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'Long-term Monitoring and Maintenance Plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Plan, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent harm to human health in accordance with paras 183 - 185 of the National Planning Policy Framework 2021 and Policy 34 of the Adur Local Plan 2017.*

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Informatives / Notes to Applicant

01. Legal Agreement

This planning permission is subject to the s.106 legal agreement dated 14th October 2021, concerning: the provision of affordable housing; open space contribution; District Heating; Car Club Provisions; Site Management; Emissions Mitigation; Access & Transport; Travel Plan; Fire & Library Provisions; monitoring of obligations satisfied.

02. Works within the Highway - Area Office Team

The applicant will be required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Area Highway Manager (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

03. Fire Safety

A fire safety assessment will be needed under Building Regulations including safe escape routes. This may necessitate the provision of a system which allows access between individual stairwells/cores of the building in the event of a fire. The applicant should contact a Building Regulations advisor for guidance. Any resulting variation to the layout of the approved development may need further approval of the Local Planning Authority.

04. Sussex Police - Design

The applicant is advised to refer to the advice of the Sussex Police Design Office in its letter of 18th December 2018, which recommends measures for secure and vandal resistant entrances into and within the development and lighting (which is subject of a condition of this planning permission)

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05. Southern Water - Drainage & Water supply

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: https://beta.southernwater.co.uk/infrastructurecharges.

The initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

It is also 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.

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

06. Condition 13

For the purposes of condition 13 b) it is recommended that winter groundwater monitoring be used to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, to support the design of any Infiltration drainage. Please contact the Council's Drainage Engineer to discuss.

07. Condition 14 - Sustainable Energy

Part i) of condition 14 operates in parallel with the obligations of the s.106 Agreement concerning future connection to the Shoreham Heating System for connection to the communal or district heat network, to which the applicant is required to undertake constructive liaison and reasonable endeavours with the Council for up to 3 years from practical completion.

Until such connection is made it is recommended that any 'initial system' should consider renewable sources with no or low reliance upon fossil fuels. The system should be consistent with / not compromise the strategies for access and connection to the Shoreham Heating System.

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08. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner. Further information can be found at:

    https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

09. 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.

Ref: AWDM/1281/19

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 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).