Adur District Council

Development Management

Mr Sam Sykes
ECE Planning Ltd
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1706/16

Details of Development
DEMOLITION OF THE FORMER BELL MEMORIAL CARE HOME AND ERECTION OF 4-STOREY BLOCK OF 32 APARTMENTS (COMPRISING 30NO. 2-BEDROOM AND 2NO. 3-BEDROOM APARTMENTS) WITH COMMUNAL ROOF TERRACE WITH PERGOLA TO SOUTH ELEVATION ON TOP (THIRD) FLOOR AND THE PROVISION OF 34 ON-SITE CAR PARKING SPACES AND ASSOCIATED LANDSCAPING.

Location of Development
THE BELL 164 SOUTH STREET LANCING WEST SUSSEX BN15 8AU

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 4th November 2016.

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
07/03/2017

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
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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
SITE HABITAT PLAN	Figure No.1	04.11.2016
GEOTECH/CONTAMINATION RISK ASS	R16-11535	04.11.2016
FLOOD RISK ASSESSMENT	October 2016	04.11.2016
COMMUNITY STATEMENT	November 2016	04.11.2016
PLANNING STATEMENT	November 2016	04.11.2016
TRANSPORT NOTE		04.11.2016
ECOLOGICAL REPORT	September 2016	04.11.2016
DESIGN & ACCESS STATEMENT		04.11.2016
LOCATION PLAN	01 A	04.11.2016
EXISTING BLOCK PLAN	02 A	04.11.2016
EXISTING SITE PLAN	03 A	04.11.2016
EXISTING ELEVATIONS	04	04.11.2016
EXISTING CONTEXT ELEVATIONS	05 A	04.11.2016
EXISTING BLOCK PLAN	06	04.11.2016
PROPOSED FIRST FLR PLAN	104 B	04.11.2016
PROPOSED SECOND FLR PLAN	105 B	04.11.2016
PROPOSED THIRD FLR PLAN	106 A	04.11.2016
PROPOSED BAY DETAIL	110 A	04.11.2016
CONSTRUCTION LOGISTICS PLAN	REV:00	19.12.2016
PROPOSED REFUSE STORE	114 Rev A	22.02.2017

Reference/Drawing Number	Version	Date Rec
PROPOSED ELEVATIONS S & N	108 Rev D	22.02.2017
PROP ELEVATIONS EAST & WEST	107 Rev C	22.02.2017
PROPOSED GROUND FLR PLAN	103 Rev C	22.02.2017
PROPOSED SITE & ROOF PLAN	101 Rev B	22.02.2017
PROPOSED BLOCK PLAN	100 Rev B	22.02.2017
PROPOSED CONTEXT ELEVATION	102 Rev E	22.02.2017
PROPOSED SECTIONS	109 B	08.12.2016

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. Prior to commencement of any above ground construction a schedule and samples of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building shall 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 saved policy AH2 of the Adur District Local Plan.*

04. Prior to commencement of any above ground construction a scheme for protecting the proposed dwellings and outside amenity areas from noise shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate good acoustic design and shall comply with the internal noise level guidelines set out in BS8233:2014. The scheme shall also try and achieve as far as reasonably practicable the WHO guidelines for external amenity areas. All works which form part of the agreed scheme shall be completed before the permitted dwellings are occupied.

Reason: *In the interests of residential amenity and to comply with saved policy AH2 of the Adur District Local Plan.*

05. The development shall take place in full accordance with the Construction Logistics Plan received 19th December 2016.

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

06. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety.*

07. No part of the development shall be first occupied until such time as the existing northern vehicular access onto South Street has been physically closed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety.*

08. No part of the development shall be first occupied until visibility splays of 2.0 metres by 43 metres have been provided at the proposed site vehicular access onto South Street in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety.*

09. No part of the development shall be first occupied until the car parking has been constructed and provided 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 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 Local Planning Authority.

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

11. No demolition or construction work (including deliveries) shall take place on the site except between the hours of 8am-6pm Monday to Friday and 8.30am -1pm on Saturdays only. There shall be no working on Sundays or Public Holidays. Only on days when there will be a large concrete slab pour or tower crane erection shall the hours be extended to 0700-2000 hours to allow the contractor to set up, prepare and protect the concrete both before and after the pour. The contractor shall notify the Local Planning Authority and local residents in writing at least three days before the pour day.

Reason: *To protect residential amenity having regard to saved policy AH2 of the Adur District Local Plan.*

12. Details of any proposed lighting for communal areas and the car park shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwellings/flats. The lighting shall thereafter be provided in accordance with the approved details prior to occupation of the dwellings/flats.

    Reason: *In the interests of amenity and crime prevention and to comply with saved policy AH2 of the Adur District Local Plan.*

13. The ecological enhancements as recommended in section 6.0 of the Preliminary Ecological Appraisal Report dated 20 September 2016 shall be provided in accordance with details and a timetable to be submitted to and approved in writing by the local planning authority.

    Reason: *To enhance biodiversity having regard to the National Planning Policy Framework.*

14. No development, other than demolition of the existing buildings, shall take place until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority in consultation with Southern Water. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways

    Reason: *To ensure adequate drainage and to comply with saved policy AP4 of the Adur District Local Plan.*

15. 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 Submission Adur Local Plan.*

16. Prior to commencement of any above ground construction a scheme of soft and hard landscaping shall have been submitted to and approved in writing by the local planning authority, which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection in the course of development. 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 buildings or the completion of the 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 building.

Reason: *In the interests of visual amenity and the environment and to comply with saved policies AB25-27 of the Adur District Local Plan.*

17. Prior to commencement of any above ground construction details of all boundary treatment shall have been submitted to and approved in writing by the local planning authority. The boundary treatment shall be provided in accordance with the approved details prior to occupation of the building.

Reason: *In the interests of amenity and the environment and to comply with saved policies AG1 and AH2 of the Adur District Local Plan.*

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. The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway

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

05. Precautionary land contamination

This site is situated on or adjacent to a site which has been identified through Adur and Worthing Councils' Contaminated Land Inspection Strategy as having the potential to be contaminated. If during development, any visibly contaminated or odorous material, (for example asbestos, stained soil, petrol/diesel/solvent odour, underground tanks/vessels or associated pipework) is found to be present at the site, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on this site. It is advised that no further development shall be carried out until it has been investigated. It is recommended that the Local Authority's Environmental Health Department is contacted for further advice.

06. The developer will need to contact environmental health for a demolition notice under the Building Act 1984 before commencing any demolition.

07. Under the Wildlife and Countryside Act 1981 (as amended), demolition of the existing building should only take place outside of the nesting season (nesting season: 1 March - 31 July) or following inspection by a suitably qualified ecologist to avoid damage or destruction of birds, active nests, eggs and chicks.

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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).