ADUR DISTRICT COUNCIL

Mr Tim Rodway
Rodway Planning Consultancy Ltd
293 Upper Shoreham Road
Shoreham By Sea
West Sussex
BN43 5QA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1703/18

Details of Development
EXTENSION AND CONVERSION OF EXISTING BUILDING, INCLUDING INCREASE IN ROOF RIDGE HEIGHT, TO ACCOMMODATE 4 FLOORS, CREATION OF 2NO. 2 BEDROOM FLATS AND 2NO. 1 BEDROOM FLATS, WITH TWO STOREY REAR EXTENSION, REFUSE AND CYCLE STORAGE, PEDESTRIAN ACCESS AND EXTERNAL AMENITY AREA

Location of Development
386 BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6RE

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 13th November 2018.

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
25/01/2019

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
PROP GROUND & FIRST FLOOR PLANS	2115(21)001 Rev A	14.01.2019
PROP SECOND, THIRD & ROOF PLANS	2115(21)002 Rev A	14.01.2019
PROP ELEVATIONS & SECTION AA	2115(31)001 Rev A	14.01.2019
PLANNING STATEMENT	November 2018	13.11.2018
PROP/EXTG SITE LOCATION & BLOCK	2115(11)001	13.11.2018
EXISTING FLOOR PLANS	2115(20)001	13.11.2018
EXISTING ELEVATIONS & SECTION	2115(30)001	13.11.2018

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 proposed materials and finishes to be used for the external walls and roof of the building shall be as set out in the revised drawings and email dated 14.1.19.

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

04. The new and replacement windows, French doors and new entrance doors shown on the approved drawings shall consist of timber, the detailed design of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Only such details as approved shall be installed prior to occupation and retained.

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

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05. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from noise from the road has been submitted to and approved by the local planning authority. All works, which form part of the scheme, which should include mechanical MVHR ventilation for the whole development, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve the indoor ambient noise levels for dwellings specified in BS8233:2014 and shall have regard to the principles contained within the World Health Organisation community noise guidelines. Following approval and completion of the scheme, a competent person employed by the developer shall undertake a test to demonstrate that the attenuation measures proposed in the scheme meet the specified levels.

Reason: *In the interest of residential amenity having regard to policies 15 and 34 of the Adur Local Plan.*

06. Notwithstanding the approved drawings final details of the refuse and bicycle storage shall be submitted in writing to the Local Planning Authority for approval. The storage facilities as approved shall be provided prior to first occupation of any unit and thereafter retained for that purpose.

Reason: *To ensure adequate provision for refuse and bicycle storage is made within the site having regard to policy 15 of the Adur Local Plan.*

07. Prior to first occupation of any unit the new rear gate to the refuse and bicycle storage area, and access thereto, shall be secured and provided and retained thereafter.

Reason: *To ensure adequate provision for both is made within the site and access secured having regard to policy 15 of the Adur Local Plan.*

08. Details of privacy screens for both ends of the second floor front balcony shall be submitted in writing to the Local Planning Authority for approval. Such details as agreed shall be erected prior to first occupation of the second floor flat.

Reason: *In the interest of privacy having regard to policy 15 of the Adur Local Plan.*

09. No meter boxes shall be erected externally on the front facade of this building.

Reason: *In the interest of the appearance of the development having regard to policy 15 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.

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02. The footpath to the north of the site is in the ownership of Adur Homes. You will therefore need their permission for access over it. Condition 7 requires the new gate and access to bike and bin storage to be provided prior to first occupation.

03. The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

04. 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 our 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.

05. It is likely that occupiers will be required to wheel their refuse and recycle bins to the Surry Street frontage on each collection day. Occupiers should be made aware.

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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.

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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).