ADUR DISTRICT COUNCIL

Mr Joseph Pearson
Lewis and Co Planning SE Ltd
Lewis & Co Planning
2 Port Hall Road
Brighton
BN1 5PD
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1230/22

Details of Development
DEMOLITION OF THE EXISTING MAIN BUILDING, RETENTION OF THE EXISTING BUNGALOWS AND CONSTRUCTION OF A NEW THREE-STOREY RESIDENTIAL BUILDING WITH ANCILLARY WORKS

Location of Development
ASHCROFT 100 KINGSTON LANE 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 July 2022.

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
01/02/2023

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
GROUND FLOOR PLAN	AA9690-2000 B	27.09.2022
EAST ELEVATIONS - KINGSTON LANE	AA9690-2015 B	27.09.2022
PLANNING STATEMENT	JUNE 2022	19.07.2022
PRELIMINARY ECOLOGICAL APPRAISAL	JUNE 2022 Rev 1	19.07.2022
STATEMENT OF COMMUNITY INVOLVEMENT	MAY 2022	19.07.2022
TRANSPORT STATEMENT	JUNE 2022 6322/TS02	19.07.2022
TREE CONSTRAINTS PLAN	LLD2192-ARB-DWG-001	19.07.2022
FIRST FLOOR PLAN	AA9690-2001 A	19.07.2022
SECOND FLOOR PLAN	AA9690-2002 A	19.07.2022
ROOF PLAN	AA9690-2003 A	19.07.2022
WEST ELEVATION	AA9690-2016 A	19.07.2022
NORTH ELEVATION	AA9690-2017 A	19.07.2022
SOUTH ELEVATION	AA9690-2018 A	19.07.2022
COURTYARD SECTION EAST	AA9690-2019 A	19.07.2022
COURTYARD SECTION LOOKING WEST	AA9690-2020 A	19.07.2022
VIEWS	AA9690-2025	19.07.2022
EXISTING SITE PLAN	AA9690-3000 A	19.07.2022
PROPOSED BLOCK PLAN	AA9690-3001 A	19.07.2022
UNDERGROUND UTILITY SURVEY	CMU/21165	19.07.2022
DESIGN & ACCESS STATEMENT	Parts 1-8	19.07.2022

Reference/Drawing Number	Version	Date Rec
ENERGY STATEMENT	JUNE 2022 Rev P2	19.07.2022
AIR QUALITY ASSESSMENT	JULY 2022 Rev 1	19.07.2022
BAT SURVEY REPORT	JUNE 2022	19.07.2022
DAYLIGHT SUNLIGHT & OVERSHADOWING	JUNE 2022 H3431-DS-v2	19.07.2022
EXISTING TREE SCHEDULE	FEB 2021 LLD2207	19.07.2022
HERITAGE IMPACT ASSESSMENT	JUNE 2022	19.07.2022
NOISE ASSESSMENT	JUNE 2022	19.07.2022
PHASE 2 SITE INVESTIGATION REPORT	v.2.01	19.07.2022
ARBORICULTURAL IMPACT ASSESSMENT & METHOD STATEMENT	LLD2192-ARB-REP-001	24.08.2022
TREE RETENTION & PROTECTION PLAN	LLD2192-ARB-DWG-002	24.08.2022

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 development above slab level shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping. 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 policies 15 and 30 of the Adur Local Plan.*

04. The existing trees/bushes/hedges shown on the approved plan as being retained shall be protected for the duration of construction works in accordance with the approved Arboricultural Method Statement (dated 15th August 2022) and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any trees/bushes/hedges or parts thereof which are shown on the approved plan as being retained which are removed without consent or die or are severely damaged or become seriously diseased during that period shall be replaced in the following planting season with trees/bushes/hedges of such size and species as may be agreed with the Local Planning Authority.

Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

05. The building shall not be occupied until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with the approved plans. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the premises concerned.

Reason: *In the interests of amenity and highway safety and having regard to policies 15 and 28 of the Adur Local Plan.*

06. Secure, covered storage for bicycles/mobility scooters shall be provided within the curtilage of the site in accordance with the approved plans prior to the commencement of use of the building hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport and to assist with accessibility for future residents having regard to policy 28 of the Adur Local Plan.*

07. No development shall take place, including any works of demolition, until a Construction and Demolition Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction; and
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: *In the interests of highway safety and amenity having regard to policies 28 and 34 of the Adur Local Plan.*

08. No development shall commence, other than works of demolition and site 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 prevent the risk of surface water flooding having regard to policy 36 of the Adur Local Plan.*

09. No development shall commence, other than works of demolition and site investigation, 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 the surface water drainage system is maintained having regard to policy 36 of the Adur Local Plan.*

10. Immediately following implementation of the approved surface water drainage system and 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 an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: *To ensure that the surface water drainage scheme is built as shown on the approved plans in the interests of reducing flood risk having regard to policy 36 of the Adur Local Plan.*

11. No development above slab level shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls, roof, windows and doors, balconies, railings and boundary walls of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

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

12. The ecological protection and enhancement scheme specified in the submitted Ecological Appraisal shall be implemented in accordance with the approved details and implementation programme.

Reason: *To enhance biodiversity having regard to the National Planning Policy Framework and policy 31 of the Adur Local Plan.*

13. The sustainability and energy efficiency measures outlined in the approved Energy Statement (dated 17th June 2022) shall be provided in full before the approved building is occupied.

Reason: *In the interests of sustainability and energy efficiency having regard to policies 18 and 19 of the Adur Local Plan.*

14. The building shall not be occupied until the associated communal facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the approved plans.

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

15. No development above slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans and details of the positions, design, materials and types of boundary treatment to be erected. This shall include a sample panel of the front boundary wall which shall be erected on site and approved in writing by the Local Planning Authority prior to its full construction. The boundary treatment shall be completed in accordance with the approved details before the building is occupied. Thereafter the approved boundary treatment shall be retained permanently.

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

16. Occupancy of the building hereby permitted shall be limited to persons of 55 years and older.

Reason: *In order to ensure that the flats are reserved for persons in need of sheltered accommodation having regard to policy 20 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.

02. The applicant is 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 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.

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 infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per https://www.gov.uk/guidance/flood-riskassessments-climate-change-allowances, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus 40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%). 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 groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers. Further detail regarding our requirements are available on the following webpage: https://www.adurworthing.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

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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://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.

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).