Adur District Council

Development Management

Mr Rex Adams
RJA Planning & Building Consultants Ltd
First Floor
10 High Street
Shoreham By Sea
West Sussex
BN43 5DA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0036/17

Details of Development
PART SINGLE AND PART TWO STOREY REAR EXTENSION TO NORTH ELEVATION (FACING FORTHAVEN) TO INCLUDE A 1ST FLOOR ROOF TERRACE WITH 1.8M HIGH SCREEN ON THE WEST ELEVATION, AND EXTENSION TO EXISTING 2.1M HIGH BOUNDARY WALL ALONG NORTHERN BOUNDARY.

Location of Development
175 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5HL

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 16th January 2017.

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
15/03/2017

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
EXISTING FLOORPLANS & ELEVATIONS	16617-02	16.01.2017
SITE PLAN	16617-03	16.01.2017
BLOCK & LOCATION PLANS	16617-Loc	16.01.2017
PROPOSED FLOORPLANS & ELEVATIONS	16617-01 Rev B	17.02.2017

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 external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed to match in design, colour and texture those of the existing building unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with saved policy AH7 of the Adur District Local Plan and Policy 15 of the Submission Adur Local Plan 2016*

04. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the first floor east side wall of the building.

Reason: *To prevent overlooking and to comply with saved AH2 of the Adur District Local Plan and Policy 15 of the Submission Adur Local Plan 2016.*

05. The windows in the first floor east side elevation of the extension hereby permitted shall at all times be glazed with obscured glass.

Reason: *To prevent overlooking and to comply with saved policy AH7 of the Adur District Local Plan and policy 15 of the Submission Adur Local Plan 2016.*

06. Before the roof terrace is first brought into use, details of the privacy screening must be submitted to and approved by the LPA and used on the privacy screen. The privacy screen shall then remain in perpetuity of the roof terrace, unless or until its removal has been agreed in writing by the LPA.

Reason: *To prevent overlooking and to comply with saved policy AH7 of the Adur Local Plan and policy 15 of the Submission Adur Local Plan 2016.*

07. Prior to commencement of use of the additional accommodation hereby permitted the existing garage building shall be demolished as shown on the approved drawing no: 16617-03, and the existing vehicle access onto Forthaven shall be stopped up permanently and the highway kerbing and footway reinstated.

Reason*: In the interests of amenity and to ensure an adequate rear garden area is retained.*

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 developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

03. 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.

Ref: AWDM/0036/17

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, and you want to appeal, then you must do so within 12 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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).