ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0626/22

Details of Development
DEMOLITION OF EXISTING PROPERTY. PROPOSED CONSTRUCTION OF TWO-STOREY HOUSE WITH FIRST FLOOR TERRACE TO THE SOUTH ELEVATION. FRONT BOUNDARY WALL AND SLIDING GATE. USE OF RENDER, TIMBER AND ZINC CLADDING TO EXTERNAL ELEVATIONS. APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF AWDM/1616/20. AMENDMENTS: ADDITION OF BALCONY TO FIRST FLOOR OVER GROUND FLOOR ENTRANCE AND CHANGE OF JULIET BALCONY WINDOW TO SLIDING DOOR

Location of Development
THE SURF HOUSE 46 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5RJ

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 11th April 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
12/05/2022

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 FIRST FLOOR PLAN	0596.PL.002 REV F	11.04.2022
PROPOSED ELEVATIONS	0596.PL.004 REV D	11.04.2022

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. The development shall be completed using the external materials and finishes specified in permission reference AWDM/1616/20 unless otherwise approved in writing by the Local Planning Authority

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

04. The use of the car parking spaces shall not commence until the vehicular access and front boundary wall and gates have 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 having regard to Policy 28 of the Adur Local Plan.*

05. No part of the development shall be first occupied until the car parking has been constructed in accordance with the site plan approved under permission reference AWDM/1616/20. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

06. 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 to 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.*

07. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide sustainable travel options in accordance with West Sussex 'Guidance on Parking at New Developments'.*

08. The development shall be carried out in accordance with the Construction Management Plan approved under application reference AWDM/2023/20 and shall be adhered to throughout the construction period.

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

09. The development shall be carried out in accordance with the Flood Risk Assessment submitted with AWMD/1616/20 (ref 0596.GI.September 2020.Rev. A, by ABIR architects) and the mitigation measures it details (as set out in section 10:00 entitled 'Flood risk mitigation measures' of the submitted Flood Risk Assessment) in particular that the finished floor level is at or above 6.3mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's
timing/phasing arrangements.

The measures detailed within the FRA shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding and in the interests of the safety of the occupants having regard to the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

10. The 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.

The dwelling shall not 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 18 of the Adur Local Plan.

11. The PV panels shown on the plans approved under application reference AWDM/1616/20 shall be installed in accordance with details to be submitted and approved in writing by the Local Planning Authority.

    Reason: *In the interests of amenity and sustainability having regard to policies 15, 18 and 19 of the Adur Local Plan.*

12. 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), the proposed dwelling shall not be extended or altered by means of any development as set out within Classes A, AA and B of Part 1 of the Schedule to that Order.

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

13. Obscure-glazed screens shall be installed at the sides of the proposed first floor terrace in accordance with the approved plans prior to commencement of use of the terrace and shall thereafter be retained.

    Reason: *To prevent overlooking and to comply with 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 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. You are advised that prior to any demolition works taking place you will need to contact the Council's Environmental Health section for a demolition notice under the Building Act 1984.

03. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

    To make an application visit: developerservices.southernwater.co.uk and please read their New Connections Services Charging Arrangements documents which are available on their website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk by email at:
SouthernWaterPlanning@southernwater.co.uk

04. This permission does not give you the right to use Council land to access your site in order to carry out the development and separate consent for access is required from the Council's Parks and Foreshore department.

Ref: AWDM/0626/22

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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 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).