Adur District Council

Development Management

Mr Tony Rogers
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West Sussex
BN44 3WH

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0567/18

Details of Development
PROPOSED 2NO. THREE BEDROOM DETACHED CHALET BUNGALOWS WITH DETACHED GARAGES

Location of Development
LAND NORTH OF 1 SWALLOWS CLOSE LANCING 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 24th April 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
06/06/2018

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
PLANNING/DESIGN STATEMENT		24.04.2018
FLOOD RISK ASSESSMENT		24.04.2018
SITE PLAN	Drg 16/1230/05	15.05.2018
SITE LOCATION PLAN		24.04.2018
BLOCK PLAN		24.04.2018
PROPOSED GROUND & FIRST FLOOR & ROOF PLANS	Drg 16/1230/01	24.04.2018
PROPOSED ELEVATIONS & GARAGE LAYOUTS	Drg 16/1230/02	24.04.2018

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. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roofs of the proposed buildings has 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 policy 15 of the Adur Local Plan.*

04. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E 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.*

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05. No part of the development shall be first occupied until the car parking spaces and garages have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than parking of vehicles incidental to the use of the proposed dwellings.

Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework and policies 15 and 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. Such spaces shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework [and having regard to policies 15 and 28 of the Adur Local Plan.*

07. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement 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;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
(viii) the repair of the access road (Swallows Close) to its former condition following the construction of the approved dwellings.

Reason: *In the interests of highway safety and amenity having regard to policies 15 and 34 of the Adur Local Plan.*

08. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (November 2017) and the following mitigation measures detailed within the FRA:

- Finished floor levels for the first floor are set no lower than 5.405 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied

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within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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.*

09. The development hereby permitted shall not be commenced 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 (to include the undertaking of soakage tests on the site in the locations shown on the approved Site Plan and the results used to appropriately size the soakaways required to serve the development, the details of which shall be forwarded to the Council for approval) and the dwellings shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

10. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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.

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

11. No development shall take place until details of boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be occupied until such walls and/or fences have been erected and they shall thereafter be retained permanently.

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

12. All works of construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent, shall be limited to the following times:-

Monday Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank/Public Holidays - No work permitted.

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

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13. There shall be no burning of waste on the site at any time during the development.

Reason: *In the interests of amenity having regard to policies 15 and 34 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. It is recommended that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

The Environment Agency recommends reading the following guidance:
'Improving the flood resilience of new buildings'
'Prepare your property for flooding: A guide for householders and small businesses'
They also recommend that the owner / occupants sign up to the Environment Agency Flood Warning Service.

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

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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).