ADUR DISTRICT COUNCIL

Mrs Rosie Foreman
Dowsett Mayhew Planning Partnership
63 Ship Street
Brighton
BN1 1AE

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1688/18

Details of Development
DEMOLITION OF EXISTING BUILDING (MIXED USE OFFICE B1 AND GENERAL INDUSTRIAL B2) AND CONSTRUCTION OF NEW BUILDING PROVIDING 14 RESIDENTIAL UNITS COMPRISING 1 NO. 1 BEDROOM FLAT; 12 NO. TWO BEDROOM AND 1 NO. THREE BEDROOM FLATS WITH UNDERCROFT PARKING. PARKING FOR 5 VEHICLES AND 16 CYCLES.

Location of Development
CAXTON HOUSE HAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6QD

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 7th 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
10/12/2018

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
PLANNING, HERITAGE & DESIGN & ACCESS STATEMENT	November 2018	07.11.2018
STRUCTURAL INSPECTION REPORT	JMLA South East	07.11.2018
CONSTRUCTION PHASE PLAN	TT Consulting	07.11.2018
GEOTECH/GROUND CONTAMINATION RISK ASSESSMENT	Ashdown Site Inv Ltd	07.11.2018
TRANSPORT REPORT	Project Centre	07.11.2018
SITE LOCATION PLAN 1:500	00618_A00_000	07.11.2018
SITE LOCATION PLAN 1:1250	00618_A00_001	07.11.2018
EXTG GROUND FLOOR PLAN	00618_PL_001 Rev A	07.11.2018
EXTG FIRST FLOOR PLAN	00618_PL_002 Rev A	07.11.2018
EXTG SECTION AA	00618_PL_003 Rev A	07.11.2018
EXTG SECTION BB	00618_PL_004 Rev A	07.11.2018
EXTG FRONT & SIDE ELEVATIONS	00618_PL_005 Rev A	07.11.2018
EXTG REAR ELEVATION	00618_PL_006 Rev A	07.11.2018
PROPOSED GROUND FLOOR PLAN	00618_PL_100 Rev A	07.11.2018
PROPOSED MEZZANINE FLOR PLAN	00618_PL_001 Rev A	07.11.2018
PROPOSED FIRST FLOOR PLAN	00618_PL_102 Rev A	07.11.2018
PROPOSED SECOND FLOOR PLAN	00618_PL_103 Rev A	07.11.2018
PROPOSED ROOF PLA	00618_PL_104 Rev A	07.11.2018
PROPOSED FRONT & SIDE ELEVATIONS	00618_PL_300 Rev A	07.11.2018
PROPOSED REAR ELEVATION	00618_PL_301 Rev A	07.11.2018

Reference/Drawing Number	Version	Date Rec
PROPOSED SECTION BB	00618_PL_400 Rev A	07.11.2018
PROPOSED SECTION CC	00618_PL_401 Rev A	07.11.2018
PROPOSED SECTION DD	00618_PL_402 Rev A	07.11.2018
PROPOSED SECTION FF	00618_PL_403 Rev A	07.11.2018
DEMOLITION GRND/FIRST FLOOR PLAN	00618_PL_500 Rev A	07.11.2018
DEMOLITION FRONT/SIDE ELEVATION	00618_PL_501 Rev A	07.11.2018
DEMOLITION REAR ELEVATION	00618_PL_502 Rev A	07.11.2018
MATERIAL SAMPLES	00618_PL_600 Rev A	07.11.2018
MATERIAL SAMPLES	00618_PL_601 Rev A	07.11.2018
EXTERNAL WINDOWS SCHEDULE	00618_PL_602 Rev A	07.11.2018
EXTERNAL WINDOWS SCHEDULE	00618_PL_603 Rev A	07.11.2018
EXTERNAL DOOR SCHEDULE	00618_PL_604 Rev A	07.11.2018
TYPICAL STOOL CILLS & COPING STONE	00618_PL_605 Rev A	07.11.2018
COPING STONE	00618_PL_606 Rev A	07.11.2018
PRIVACY SCREENS	00618_PL_607 Rev A	07.11.2018
FRONT ELEVATION GLAZED BALUSTRADE	00618_PL_608 Rev A	07.11.2018
REAR ELEVATION GLAZED BALUSTRADE	00618_PL_609 Rev A	07.11.2018
SWEPT PATH ANALYSIS BAYS 1 & 2	100003130-2-611-01	07.11.2018
SWEPT PATH ANALYSIS BAYS 3 & 4	003130-2-611-02	07.11.2018
SWEPT PATH ANALYSIS BAY 5	003130-2-611-03	07.11.2018
AERIAL LOCATION DRAWING	00618_PL_610 Rev B	28.11.2018
PROPOSED DRAINAGE SCHEME	DR-D-2200-D2-P03	03.12.2018

Reason: *For the avoidance of doubt and in the interests of proper planning.*

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02. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. No meters, flues or cables shall be constructed or added to any external wall/roof of the building hereby permitted, other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the erection of any such meter, flue or cable.

Reason: *To safeguard and improve the appearance and character of this historic building and the Conservation Area having regard to the National Planning Policy Framework and policies 15 and 17 of the Adur Local Plan.*

04. The development shall be constructed using external brick, tile and flint reclaimed through the demolition process, with any additional materials to be in accordance with the approved schedule received 7 November 2018. Prior to the commencement of construction of the flint panels a sample of flintwork and indicating the colour, texture and pointing style of the mortar, shall be constructed on the site and inspected and approved in writing by the Local Planning Authority. Thereafter, the flint panels shall be constructed in accordance with the agreed sample panel which shall be retained on site until the development has been completed.

Reason: *To safeguard the character and appearance of the Conservation Area and in the interests of visual amenity and to comply with policies 15 and 17 of the Adur Local Plan.*

05. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be inserted in the east flank of flat 13 and the east flank window hereby approved in this unit shall be obscure glazed and non-opening up to 1.7 ms above finished floor levels and shall be retained as such thereafter.

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

06. No flat shall be occupied until privacy screens to the balconies and terraced areas have been erected in accordance with the approved plans and they shall thereafter be retained.

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

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07. No flat hereby approved shall be occupied unless and until a scheme of noise mitigation measures has been submitted to and approved by the Local Planning Authority to meet the recommended standards in respect of external noise source set out in table 4 of BS 8233:2014 and the night time LAmax level recommended in the WHO's Night Noise Guidelines for Europe (2009). Where windows need to remain closed to meet this criteria, whole house ventilation is required to ensure thermal comfort can be managed inside the dwellings during the summer months.

Reason: *In the interests of the amenity of future occupiers in view of the fact that the site is adjacent to business uses and to comply with policies 15 and 34 of the Adur Local Plan.*

08. The development (construction and demolition phases) shall not take place other than in full compliance with the approved Construction Phase Plan.

No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be implemented between the hours of 8.00 a.m. and 6.00 p.m. inclusive, except between 9.00 a.m. to 1.00 p.m. on Saturdays.

Reason: *In the interests of neighbour amenity in accordance with policy 15 of the Adur Local Plan.*

09. In the event that unexpected contamination is found on site during construction, the developer shall cease works and seek further advice from a suitably qualified person and prepare a remediation strategy and verification plan, in accordance with section 10.7 of the Combined Geotechnical and Ground Contamination Risk Assessment from Ashdown Site Investigation dated 26 July 2018 and received 7 November 2018

Reason: *In the interests of the health of future occupiers in view of the fact that the site is on land identified as potentially contaminated and to comply with policy 34 of the Adur Local Plan.*

10. No part of the development shall be first occupied until such time as the:

a) vehicular access,
b) car and cycle parking and turning space; and
c) domestic waste/recycling storage facilities

have been constructed in accordance with the approved plans and shall be retained as such thereafter.

Reason: *In the interests of highway safety and functionality, to meet travel need in a sustainable manner and to minimise land fill and in the interests of health and hygiene and amenity having regard to policies 15 and 28 of the Adur Local Plan.*

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11. No part of the development shall be first occupied until such time as a detailed scheme for the reconfiguration of the parking bay arrangements in Ham Road has been submitted to and approved by Local Planning Authority and implemented accordingly.

    Reason: *In the interests of highway and pedestrian safety and functionality and to meet travel need in a sustainable manner having regard to policy 28 of the Adur Local Plan.*

12. No aerial or satellite dish shall be added to the external walls/roof of the building hereby permitted other than in accordance with the approved details shown on drawing number 00618_PL_610 Rev B received 28 November 2018

    Reason: *To safeguard and improve the appearance and character of this historic building and the Conservation Area, having regard to the National Planning Policy Framework and policies 15 and 17 of the Adur Local Plan.*

13. Surface water from the development shall be disposed of by means of a connection to the existing Southern Water Combined sewer and discharge as shown on drawing no. 06757-jmla-TY-00-DR-D-2200-D2-P03 received 3 December 2018, or in accordance with alternative details which shall have been agreed with Southern Water prior to construction of the surface water drainage infrastructure on site. These drainage works shall be completed in accordance with the approved details before any flat is occupied.

    Reason: *To ensure that the proposed development is adequately drained and to avoid the risk of localised flooding in compliance with policies 29, 35 and 36 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. Section 278 Agreement of the 1980 Highways Act - Works within the Highway
    The applicant is advised to enter into a legal agreement with 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.

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03. Network Rail advise the following;

1. The developer must contact the asset protection team and sign an asset protection agreement before proceeding with any design or construction works alongside NR infrastructure. SAPE will specify further safety and engineering conditions as necessary.
2. It may be necessary to enhance or renew Network rail (NR) existing boundary fencing as a result of the development in order to reduce the risk of trespass and possible vandalism. New screening purposes fence must be independent of NR fencing and allow room for maintenance of both fences.
3. Party Wall etc Act 1996. Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on NR and their Tenants under the Party Wall etc Act 1996. Developers should consult with NR at an early stage of the preparation of details of their development on Party Wall matter.
4. NR accepts no liability in respect of noise and vibration. Developer should undertake his own investigations to establish any level of noise and vibration likely to originate from the operational of the railway, and design their mitigation measures accordingly.
5. All works, both temporary and permanent, should be designed and constructed so that they will have no influence on the stability of NR's structures and adjoining land.
6. Vibro-compaction will not be permitted, especially in the vicinity of structures, embankments or cutting slopes.
7. NR advise that the use of bored, cast in-situ reinforced concrete piles are recommended. Normally these have no detrimental vibration effects during construction.
8. All structures should be situated at a minimum distance of two metres from NR's boundary fence and at a sufficient distance to enable construction to proceed without, in the NR Engineer's opinion, the risk of affecting the normal and safe running of the railway. This clearance will also enable construction and maintenance to proceed without the need to enter on to NR's property. Please note that unless previous safety protection has been arranged, access on to NR property will not be permitted for any activity associated with any works.
9. All new construction should be sufficiently clear to the boundary, and all foundations should be designed such that they do not impose any surcharge on railway cutting slopes or structures. In addition, it should be borne in mind that cutting slopes could be subject to erosion through the effects of weathering, and all new construction should be at a sufficient distance from the slope to take this into account. At no time should an embankment supporting the railway be cut into or built upon.
10. NR reserves the right to request the screening of any light, including vehicular lights and light reflected by building cladding, which may interfere with the sighting of signalling apparatus and / or train drivers' vision on approaching trains.
    Large areas of Red or Green cladding or painted structure that face on to the railway could affect the sighting of track signals. Large areas of reflective cladding or mirror type glazing could affect the sighting of track signals in the vicinity of the Railway.
11. Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles over-sail or fall onto the railway. Black protective netting around the scaffold may need to be installed. A Method Statement for constructing and dismantling the scaffold will need to be provided

for acceptance. Scaffolding may need to be erected under a track closure (possession) of the railway because of the dangers to trains and from the electrified conductor rail. A minimum of sixteen weeks notice is required for shared possessions and thirty two weeks for sole possessions to arrange any possessions of the track.

12. Any cranes or other plant to be used on site must be positioned and operate in such a way that, in the event of mishandling or failure of any part of the equipment or subsidence of the ground supporting the equipment, they will not move or fall within three metres of the nearest rail. Their loads or jibs should not under any circumstances over-sail NR's property.
13. Full details of any tower cranes to be used on site should be submitted for approval, together with a plan showing the relevant jib radii. The cranes (and any other plant) must be positioned in such a way that in the event of mishandling or failure of any part of the equipment or subsidence of the ground supporting the equipment, they will not move or fall within three metres of the nearest rail. Their loads or jibs should not under any circumstances over-sail NR's property. A Method Statement must be prepared for NR's approval, it may be necessary to down-rate the crane capacity by 25% to reduce the risk of failure.
14. All costs incurred by NR in connection with the Works should be reimbursed by the Developer. NR will require the Developer to enter into an Asset Protection Agreement with NR and either place a purchase order or make payment before work commences if called upon to do so.
15. NR requires to be advised of the geotechnical information regarding the site and be assured that whatever construction method is used is suitable. Written confirmation is required stating that the integrity of the railway formation or structures will not be impaired by excavation, piling or other construction methods.
16. Details of excavations for foundations, etc., within 15 metres of NR boundary are to be submitted to SAPE for prior approval. Excavations are not to affect the structural integrity of Network Rail's formation or structures. Stability calculations will be required to prove this where necessary. Calculations to be supported by independent design check certification and supporting geological information.
17. There is to be no dewatering adjacent to or under NR property or structures unless it is unavoidable, in which case the following is required:-

a. Settlement and stability calculations for the railway corridor for all stages of construction/dewatering.
b. Calculations to be supported by independent design check certification.
c. Monitoring of ground and track levels is to be carried out regularly while dewatering is taking place and for at least 2 weeks after it ceases.

04. Temporary Works Required During Construction
The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

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05. Section 59 of the 1980 Highways Act - Extra-ordinary Traffic
The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

Ref: AWDM/1688/18

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 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.

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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).