ADUR DISTRICT COUNCIL

Mr James Breckell
James Breckell Architects
89 Old Fort Road
Shoreham by Sea
BN43 5HA
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1165/24

Details of Development
DEMOLITION OF THE EXISTING SINGLE STOREY BUNGALOW AND CONSTRUCTION OF A 2 STOREY HOUSE. APPLICATION TO REMOVE CONDITION 12 OF PREVIOUSLY APPROVED AWDM/0037/23 AND VARY CONDITION 1 APPROVED PLANS. AMENDMENT: THE BALCONY BALUSTRADE HAS BEEN DESIGNED WITHOUT PRIVACY SCREENS.

Location of Development
FORMER 97 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5HA

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 13th September 2024.

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
10/10/2024

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
ELEVATIONS AS BUILT	457/A3/07	13.09.2024
BALCONY HANDRAIL DETAILS	457/A1/50	13.09.2024
EXISTING & PROPOSED LOCATION PLAN	457/A2/01A	02.03.2023
EXISTING & PROPOSED BLOCK PLAN	457/A2/02A	02.03.2023
EXISTING & PROPOSED SITE PLAN	457/A2/04A	02.03.2023
PROPOSED FLOOR PLANS	457/A2/05B	06.03.2023
PROPOSED ELEVATIONS	457/A2/06B	07.03.2023
EXISTING PLANS & ELEVATIONS	457/A2/03	12.01.2023
DESIGN & ACCESS STATEMENT		12.01.2023
FLOOD RISK ASSESSMENT		30.01.2023

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

02. 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 (other than as hereby approved) shall be formed in the east or west side wall of the building.

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

03. 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, 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.*

04. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (ref 12371, Second issue, dated 30 January 2023, by GTA Civils & Transport Ltd) and the following mitigation measures it details:

The lowest floor level will be set at 6.350 metres above Ordnance Datum (AOD) (section 1.5 of the FRA).

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

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

Reason: *To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.*

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

Reason: *To provide car-parking space for the use 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. 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.

Ref: AWDM/1165/24

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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).