ADUR DISTRICT COUNCIL

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BA1 2LL

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0384/22

Details of Development
CONSTRUCTION OF 7NO. 3 BED DWELLINGS WITHIN A TERRACE OF 2 STOREY BUILDINGS WITH ACCOMMODATION IN THE ROOF SPACE AND 14NO. PARKING SPACES, 20NO. CYCLE SPACES AND ASSOCIATED WORKS INCLUDING LANDSCAPING.

Location of Development
LAND NORTH OF 1 TO 28 THE HAVEN BRIGHTON ROAD 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 18th March 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
20/05/2022

Ref: AWDM/0384/22

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	Drg 03-01 Rev H	05.05.2022
DESIGN & ACCESS STATEMENT	March 2022	18.03.2022
NOISE ASSESSMENT	February 2022	18.03.2022
PHASE 1: PRELIMINARY RISK ASSESSMENT	February 2022	18.03.2022
DAYLIGHT & SUNLIGHT ASSESSMENT	25 February 2022	18.03.2022
AIR QUALITY ASSESSMENT	2902-2r1	18.03.2022
TRANSPORT STATEMENT	JTP19164	18.03.2022
ENERGY & SUSTAINABILITY STATEMENT	4 May 2022	05.05.2022
BLOCK PLAN	Drg 0001 Rev E	18.03.2022
SITE SURVEY	Drg 001	18.03.2022
LOCATION PLAN	Drg 01	18.03.2022
FLOOR PLANS	Drg 02-01 Rev I	18.03.2022
ROOF PLAN	Drg 02-02 Rev D	18.03.2022
SITE SECTIONS	Drg 05-01 Rev C	18.03.2022
SITE PLAN	Drg 01-02 Rev I	10.05.2022
HARD & SOFT LANDSCAPE GA PLAN	LAN-DWG-100 Rev 03	18.03.2022
DETAILED PLANTING PLAN	LAN-DWG-200	18.03.2022
DETAILED PLANTING PLAN	LAN-DWG-201	18.03.2022
DETAILED PLANT SCHEDULE	LAN-SCH-001	18.03.2022
HARD LANDSCAPE SCHEDULE	LAN-SCH-002	18.03.2022

Reference/Drawing Number	Version	Date Rec
SOFT LANDSCAPE SPECIFICATION	LAN-SPE-001	18.03.2022
STREET ELEVATIONS	Drg 03-02 Rev F	05.05.2022

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. No development shall commence on site until a Construction Method Statement and Plan 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 Plan and shall be adhered to throughout the construction period. The Statement and Plan shall provide for:-
a) the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's;
b) the method of access and routing of vehicles during construction;
c) parking of vehicles of site operatives and visitors;
d) loading and unloading of plant, materials and waste;
e) a commitment to no burning of waste material on site;
f) storage of plant and materials used in constructing the development;
g) the erection and maintenance of security hoarding;
h) wheel-washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
i) measures to control the emission of dust and dirt during construction;
j) details of public engagement both prior to and during construction works;
k) details of working hours on site.

Reason: *To ensure that the development takes place safely without undue harm to the environment or residential amenity having regard to policies 15, 28 and 34 of the Adur Local Plan.*

04. No development shall commence on site (excluding preliminary site clearance and ground works) until details of the proposed means of foul water drainage have been submitted to and approved by the local planning authority and the building shall not be first occupied until all foul water drainage works have been carried out in accordance with the approved details

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

05. No development shall commence on site (excluding works of site clearance, survey, investigation and/or preliminary groundworks) until detailed construction drawings of the soakaway, catchpits, manholes and pipe bedding associated with the proposed surface water drainage scheme have been submitted to and approved in writing by the local planning authority. No part of the building shall be first occupied until the surface water drainage system has been implemented in full accordance with the approved details

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

06. No construction works shall progress beyond slab/foundation stage until details and samples of facing materials and finishes to be used in the construction of the external walls, roofs, windows, doors, balconies, footpaths and ground floor patios of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Thereafter the development shall only be carried out in accordance with the approved details

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

07. The development hereby permitted shall not be occupied until boundary walls and/or fences have been erected in accordance with details that have been first submitted to and approved in writing by the local planning authority

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

08. The development hereby permitted shall not be occupied until covered and secure cycle parking has been provided in accordance with the approved plans and details. The cycle parking shall be properly maintained and kept available for the parking of bicycles thereafter

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 policy 28 of the Adur Local Plan.*

09. The development hereby permitted shall not be occupied until the vehicular access serving the development has been constructed in accordance with the approved plans with the provision of tactile paving either-side of the bellmouth to assist with the crossing of pedestrians at this point

Reason: *In the interests of highway safety having regard to policy 28 of the Adur Local Plan.*

10. No part of the development shall be first occupied until visibility splays of 2.4metres by 43metres have been provided at the proposed site vehicular access onto Brighton Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions

over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of highway safety having regard to policy 28 of the Adur Local Plan.*

11. The development hereby permitted shall not be occupied until the vehicle parking and turning spaces have been laid out in accordance with the approved plans and surfaced in a material to be first agreed in writing with the local planning authority. The parking spaces shall thereafter be retained for their designated use

Reason: *To ensure satisfactory provision of car parking having regard to policy 28 of the Adur Local Plan.*

12. The development hereby permitted shall not be occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details that have been first submitted to and approved in writing by the local planning authority

Reason: *In the interests of sustainability having regard to policy 28 of the Adur Local Plan.*

13. The development hereby permitted shall not be occupied until provision for refuse storage has been provided in accordance with the approved plans and details. The refuse storage facilities shall thereafter be retained for use by occupiers of the development

Reason: *To ensure adequate refuse storage.*

14. The development hereby permitted shall not be occupied until the first floor bathroom windows on the south elevation have been fitted with obscured glazing and the second floor bedroom window to Unit 6 has been fitted with obscured glazing below 1.7m above the floor level of the room in which it is installed as shown on approved drawing no. 03-01 rev H received 5th May 2022. The obscure glazing shall thereafter be retained at all times

Reason: *In the interests of residential amenity having regard to policy 15 of the Adur Local Plan.*

15. The development hereby permitted shall not be occupied until the energy and sustainability measures set out in the Energy and Sustainability Statement dated 4th May 2022 have been fully implemented. Details of the measures incorporated shall be provided to the local planning authority on request

Reason: *In order to achieve a sustainable and energy efficient development, having regard to Policies 18 and 19 of the Adur Local Plan.*

16. All works, which form part of the approved acoustic protection scheme, shall be completed before any part of the development is first occupied. The glazing specifications outlined in the Noise Assessment February 2022 shall be implemented in full and the scheme shall include a MVHR ventilation system, which shall include a summer bypass to prevent overheating. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise and certification to confirm this shall be provided to the local planning authority prior to the first occupation of the development.

    Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

17. Immediately following the completion of construction of the surface water drainage system in accordance with the details pursuant to Condition 5 above, the developer shall provide to the local planning authority details of the 'as-built' drawings together with a verification report prepared by a suitably qualified person confirming that the scheme has been implemented in accordance with the approved drawing(s) and is fit for purpose. The operational efficacy of the scheme shall subsequently be maintained at all times during the lifetime of the development in accordance with details to be submitted to and approved in writing by the local planning authority.

    Reason: *To ensure drainage is provided to the satisfaction of the local planning authority having regard to policy 36 of the Adur Local Plan.*

18. All soft landscape works shall be carried out in accordance with the approved scheme no later than the first planting season following completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced the following planting season with others of similar size and species, unless the local planning authority gives any consent for variation. The approved hard landscape works, including car park surfacing, shall be completed prior to first occupation of the buildings.

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

19. 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 dwellings shall not be extended or altered by means of any development as set out within Classes A, B, 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.*

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. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration structure must cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. . Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions

03. The applicant is required to obtain all appropriate consents from West Sussex County ouncil, as Highway Authority, to cover the off-site highway works. The applicant is equested to contact The Implementation Team Leader (01243 642105) to commence his process. The applicant is advised that it is an offence to undertake any works within he highway prior to the agreement being in place.

04. There is currently a fire hydrant located in close proximity to this intended site. The fire hydrant will need to remain accessible by the Fire Service at all times. If the hydrant is located within the intended property development it will need to be relocated at the cost of the developer and you are advised to contact West Sussex Fire and Rescue Service: Phone: 0330 222 3117 | E-mail: frs.waterandaccess@westsussex.gov.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 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 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.

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).