ADUR DISTRICT COUNCIL

Mr Jak Trude
7 Surveying & Construction Management Ltd
20-22 Wenlock Road
London
N1 7GU

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0607/22

Details of Development
DEMOLITION OF EXISTING BUILDINGS (B1 AND B8) AND CONSTRUCTION OF 5NO. TWO BEDROOM LIVE/WORK MEWS DWELLINGS.

Location of Development
GARAGE COMPOUND REAR OF KINGSTON BROADWAY HAWKINS ROAD SHOREHAM-BY-SEA 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 19th 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
11/11/2022

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
SITE PLAN - COMMUNAL GARDEN	DWG02KB Rev D	31.05.2022
SITE PLAN - AERIAL ILLUSTRATION		31.05.2022
TRANSPORT STAEMENT		19.04.2022
HIGHWAYS FEEDBACK 2	PRE-92-21	19.04.2022
INTERNAL DAYLIGHT ASSESSMENT		19.04.2022
DAYLIGHT & SUNLIGHT IMPACT ASSESSMENT	ME 210728	19.04.2022
PHASE 1 GEOENVIRONMENTAL DESK STUDY	P4277.1.0	19.04.2022
LANDSCAPING PLAN		19.04.2022
TOPOGRAPHICAL SITE PLAN	TP-001 Rev A	19.04.2022
ELEVATION PLANS	DWG04KB Rev C	19.04.2022
CROSS-SECTION PLAN	DWG05KB Rev A	19.04.2022
FLOOR PLANS	DWG04KB Rev B	19.04.2022
ENVIRONMENTAL NOISE ASSESSMENT	RP 220610 Rev 03	17.06.2022
LOCATION BLOCK PLAN	Rev B	21.04.2022

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. No development shall take place, including any works of demolition, until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- 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;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- a commitment to no burning on site;
- the provision of 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);
- details of public engagement both prior to and during construction works;
- methods to control dust from the site.

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

04. Works of construction or demolition, including the use of plant and machinery, 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 Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

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

05. No development shall commence, other than works of demolition and site investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be

occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: *To prevent the risk of surface water flooding having regard to policy 36 of the Adur Local Plan.*

06. Details of any proposed external plant and a scheme for attenuating all external plant shall be submitted to and approved by the local planning authority prior to installation. The noise level of any future external plant installed at this site should comply with the plant noise emission limits specified in section 6.3 of the Environmental Noise Assessment (RP 220610 dated 17.06.22). A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.

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

07. The development hereby permitted shall be carried out in full accordance with the recommendations of the Environmental Noise Assessment (RP 220610 dated 17.06.22) and all works which form part of the approved scheme shall be completed before the permitted dwelling is occupied. Following completion of the scheme and prior to occupation, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

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

08. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A site investigation scheme, based on the Phase I Geoenvironmental Desk Study (P4277.1.0 Date: 7 July 2021) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
(2) The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
(3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policies 34 and 35 of the Adur Local Plan.*

09. If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policies 34 and 35 of the Adur Local Plan.*

10. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plans.

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

11. 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 in writing by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car in accordance with policy 28 of the Adur Local Plan.*

12. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: *To provide Electric Vehicle Charging points to support the use of electric vehicles in accordance with policy 28 of the Adur Local Plan.*

13. 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 roof of the proposed building 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.*

14. No development shall commence, other than works of demolition and site investigation, until full details of the sustainability and energy efficiency measures to be incorporated within the development have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in accordance with the approved details.

    Reason: *In the interests of sustainability and energy efficiency having regard to policies 18 and 19 of the Adur Local Plan.*

15. The units hereby approved shall be live-work units with the ground floor commercial use tied to the upper floor residential use within the same unit and not occupied independently. The ground floor shall only be used for commercial purposes falling within Class E(g) of the Use Classes Order and shall not be used for any other purpose including any residential use.

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

16. Commercial use on the ground floor shall only be carried out between the hours of 07:00 - 23:00 Mon - Sat, and 09:00 - 21:00 Sundays.

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

17. No external working or storage shall take place anywhere on the site to which this permission relates and all working and storage shall be confined to within the building.

    Reason: *In the interests of amenity and to retain adequate off-street parking space and to comply with policies 15 and 28 of the Adur Local Plan.*

18. 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.*

19. Balcony screens shall be erected in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to first occupation and shall thereafter be retained.

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

20. The rooflights in the front roofslope of each unit hereby permitted shall at all times be glazed with obscured glass.

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 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.

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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).