ADUR DISTRICT COUNCIL

Mr Luke Carter
Lewis and Co Planning SE Ltd
2 Port Hall Road
Brighton
BN1 5PD

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1636/24

Details of Development
APPLICATION TO VARY CONDITION 3 OF APPROVED AWDM/1774/19 TO ALLOW A MAXIMUM OF 110 CHILDREN TO ATTEND THE PREMISES (ORIGINAL CONDITION LIMITED IT TO 100). ORIGINAL DESCRIPTION: DEMOLITION OF EXISTING COTTAGE AND GARAGES (8 TARMOUNT LANE) AND CONSTRUCTION OF PART TWO-STOREY AND PART SINGLE-STOREY EXTENSION TO EAST, FIRST FLOOR EXTENSION OVER EXISTING FLAT ROOF EXTENSION AT REAR AND GLAZED LINK TO EXISTING NURSERY BUILDING (AMENDED RESUBMISSION OF AWDM/0463/19).

Location of Development
SUNSHINE DAY NURSERY 6 TARMOUNT LANE SHOREHAM-BY-SEA WEST SUSSEX BN43 6DA

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 20th December 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
04/02/2025

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
SUPPORTING LETTER	19 December 2024	20.12.2024

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

02. The number of children attending the premises (Nos. 6 and 8 Tarmount Lane) for the purposes hereby permitted shall at no time exceed a total of 110 without the prior written permission of the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity having regard to policies 15, 17 and 33 of the Adur Local Plan.

03. The use hereby permitted shall not be open for business other than between the hours of 7:30am and 6pm Monday to Friday and arrival/departure times for children shall be staggered over the period 7:30am-9am for arrivals and 4:30pm-6pm for departures.

Reason: - In the interests of highway safety and residential amenity and to accord with Polices 15 and 33 of the Adur Local Plan.

04. The measures contained in the 'Outdoor Area Management Plan' Revised May 2019, received 13th May 2019 shall be implemented and complied with during operation of the day nursery at all times. The number of children within the rear outdoor space shall not exceed 20 at any one time.

Reason: In the interests of highway safety and residential amenity and to accord with Policies 15, 17 and 33 of the Adur Local Plan.

05. No advertisements or signage shall be attached to the external windows or walls of the building hereby permitted without prior consent from the Local Planning Authority. In addition there shall be no internal advertisements or signage on or in the glazed link.

Reason: In the interests of visual amenity and to accord with Policies 15 and 17 of the Adur Local Plan.

06. The building at no .8 Tarmount Lane shall remain finished with render and slate tile roof with timber sliding sash windows at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policies 15 and 17 of the Adur Local Plan.

07. The off street car parking and cycle parking to the front of nos 6 and 8 Tarmount Lane shall be used for staff employed at the nursery only. Drop off and collection for parents and carers shall not be at the property frontage.

Reason: In the interests of highway safety and to accord with Policies 15 and 33 of the Adur Local Plan.

08. Staff vehicle and cycle parking provision shall be as shown on the previously approved plans and shall thereafter be retained solely for such purposes.

Reason: In the interests of highway safety and sustainability and to accord with Policies 15 and 33 of the Adur Local Plan.

09. Following the implementation of the Landscape Design Strategy, Outline Plant Specification and Landscape Strategy Masterplan received 25th March 2019 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 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 to accord with Policies 15 and 30 of the Adur Local Plan.

10. The recommendations and actions as contained in the Travel Plan accompanying application ADC/0141/09 shall be implemented and complied with during operation of the day nursery.

Reason: In the interests of highway safety and the promotion of sustainable travel having regard to policy 28 of the Adur Local Plan.

11. The external door/staircase at no 6 Tarmount Lane shall be used only for the purposes of emergency escape from the premises.

    Reason: To prevent overlooking and having regard to Policy 15 of the Adur Local Plan.

12. Pedestrian visibility splays of 2 metres by 2 metres to the east of the parking area shall be kept free of all obstructions over a height of 0.6 metres 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.

13. Open fencing/boundary treatment only shall be permitted adjacent to the frontage parking at no. 6 Tarmount Lane as shown on Drawing no. AD 101 Rev F - received 13th May 2019. The proposed barrier and railings shall remain in accordance with the approved drawings unless otherwise approved in writing by the Local Planning Authority.

    Reason: In the interests of highway safety and the visual amenities of the area, having regard to policies 15 and 28 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.

Ref: AWDM/1636/24

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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).