Adur District Council

Development Management

Mr Phillip Taylor
Planning Resolution Ltd
Thorncroft Manor
Thorncroft Drive
Leatherhead
KT22 8JB

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1948/16

Details of Development
DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF THREE DWELLINGS; COMPRISING A PAIR OF DETACHED HOUSES AND A DETACHED BUNGALOW AND ASSOCIATED LANDSCAPING AND PARKING.

Location of Development
36 LESSER FOXHOLES SHOREHAM-BY-SEA WEST SUSSEX BN43 5NT

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 22nd December 2016.

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
15/02/2017

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 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
LOCATION PLAN	Dwg No A100	22.12.2016
SITE PLAN - PROPOSED	Dwg No A101	22.12.2016
SWEPT PATH ANAYLSIS BOX VAN TURN	Dwg No ST17490-01	22.12.2016
SWEPT PATH ANALYSIS LARGE CAR PARK	Dwg No ST17490-02	22.12.2016
ELEVATIONS - PROPOSED	Dwg No A203	22.12.2016
ELEVATIONS - PROPOSED	Dwg No A202	22.12.2016
ELEVATIONS - PROPOSED	Dwg No A201	22.12.2016
PLAN LEVEL 1 - PROPOSED	Dwg No A103	22.12.2016
GROUND FLOOR PLAN PROPOSED	Dwg No A102	08.02.2017

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 Construction Method Statement has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement shall provide for:-

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding;
- wheel-washing facilities;

- measures to control the emission of dust and dirt during
- construction; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

No working whatsoever (including arrival, reception or dispatch of deliveries) shall take place on the premises except between the hours of:-

7.00 am and 6.00 pm on Mondays to Fridays inclusive
7.00 am and 1.00 pm on Saturdays nor at any time on Sundays or Public Holidays.

Reason: *In the interests of highway safety and to safeguard residential amenity in accordance with the relevant national policy set out in the National Planning Policy Framework.*

04. Before any development commences on site, including any works of demolition, the following shall be approved in writing by the Local Planning Authority:-

i) A detailed scaled survey plan showing the position of (and allocating a reference number to) every tree on the site with a stem diameter exceeding 75 millimetres (measured over the bark at 1.5 metres above ground level) plus any tree on adjoining land that is likely to have an effect upon or be affected by the proposal (eg. by overshadowing, intrusion of the Root Protection Area etc);
ii) A detailed schedule of the trees shown on the above survey plan as specified in BS5837:2005 (para 4.2.6);
iii) An arboricultural implications assessment, arboricultural method statement and tree protection plan, including protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall include any proposal for pruning or other preventative works.

Any mitigation or protection measures submitted under (iii) above and approved by the Local Planning Authority shall be put in place prior to commencement of any construction works and retained throughout the period of construction work on the site or for such longer period as approved in writing by the Local Planning Authority.

Reason: *To protect trees on site which are of significant visual amenity and/or screening to safeguard neighbour amenity from damage and to comply with saved policy AB25 of the Adur District Local Plan.*

05. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roofs of the dwellinghouse buildings hereby permitted has been 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 saved policy AH2 of the Adur District Local Plan.*

06. No development shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. These drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained to comply with Saved Adur Local Plan AP4.*

07. No development shall take place unless and until there has been approved in writing by the Local Planning Authority a scheme of soft and hard landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and 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. The approved details of hard landscaping shall be completed prior to occupation of the dwellinghouse buildings hereby permitted.

Reason: *In the interests of visual amenity and the environment and to comply with saved policies AB25 of the Adur District Local Plan.*

08. The dwellinghouse buildings hereby permitted shall not be occupied until all boundary walls and/or fences have been erected in accordance with details approved in writing by the Local Planning Authority and they shall thereafter be retained permanently.

Reason: the interests of amenity and to comply with saved policy AH2 of the Adur District Local Plan.

09. The dwellinghouse buildings hereby permitted shall not be occupied until the parking spaces, garages, and turning and access facilities shown on approved plans have been provided on the land with their respective allocations. The areas of land so provided shall not thereafter be used for any purpose other than access and turning, garaging and parking of vehicles incidental to the use of the dwellinghouses hereby permitted.

Reason: *In the interests of highway safety and to safeguard residential amenity in accordance with the relevant national policy set out in the National Planning Policy Framework.*

10. The dwellinghouse buildings hereby permitted shall not be occupied until the secure, covered cycle parking shown on approved plans have been provided on the land. The areas of land so provided shall not thereafter be used for any purpose other than parking of cycles incidental to the use of the dwellinghouses hereby permitted.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the relevant national policy set out in the National Planning Policy Framework.*

11. The dwellinghouse buildings hereby permitted shall not be occupied until the secure, covered bin storage shown on approved plans has been provided on the land. The areas of land so provided shall not thereafter be used for any purpose other than bin storage incidental to the use of the dwellinghouses hereby permitted.

Reason: *To encourage and provide for adequate waste disposal in compliance with Adur Local Plan saved policy AH2 and the relevant national policy set out in the National Planning Policy Framework.*

12. The first floor windows in the side elevations of the dwellinghouses hereby permitted shall be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and shall not subsequently be altered in any way.

Reason: *To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.*

13. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) 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 above eaves height in the north elevation of the bungalow dwellinghouse building and/or at first floor and above in the side elevations of the two-storey dwellinghouses hereby permitted.

Reason: *To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.*

14. No external lighting or floodlighting shall be installed except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and the Dark Skies Reserve Status of the South Downs National Park to comply with saved policy AP9 of the Adur District Local Plan.*

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of any dwellinghouse hereby permitted forward of any wall of that dwellinghouse which fronts or faces any existing or proposed highway (including a public path).

Reason: *In the interests of visual amenity and to maintain the 'open plan' character having regard to saved policy AH2 of the Adur District Local Plan.*

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the dwellinghouse hereby permitted shall not be extended or any incidental building over 5 cubic metres in volume erected within their respective curtilages.

    Reason: the interests of amenity and the environment having regard to saved policies AH2 of the Adur District 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.

Ref: AWDM/1948/16

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.

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).