WORTHING BOROUGH COUNCIL

Mr Colm Mckee
CMK Planning
11 Jew Street
Brighton
BN11UT
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0970/24

Details of Development
PROPOSED ONE BEDROOM FLAT WITHIN ROOFSPACE TO INCLUDE FRONT AND REAR DORMERS AND FRONT AND REAR ROOFLIGHTS

Location of Development
179 - 181 BRIGHTON ROAD WORTHING WEST SUSSEX BN11 2EX

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 30th August 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
13/02/2025

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
CONSTRUCTION MANAGEMENT PLAN	CMP	19.09.2024
PLANNING STATEMENT	July 2024	30.08.2024
EXISTING ELEVATIONS	002 Rev A	30.08.2024
FLOOD RISK ASSESSMENT	Rev 00 12th August 2024	30.08.2024
EXTG FLOOR PLANS & LOCATION PLAN	001 Rev A	12.12.2024
PROPOSED FIRST & SECOND FLOOR PLANS	100 Rev A	12.12.2024
PROPOSED ROOF PLAN	101 Rev A	12.12.2024
PROPOSED ELEVATIONS (1of2)	102 Rev A	12.12.2024
PROPOSED ELEVATIONS (2of2)	103 Rev A	12.12.2024
BLOCK PLANS	104 Rev B	12.12.2024
PROPOSED FLOOR PLAN AREAS	200 Rev A	12.12.2024
PROPOSED SECTIONS	105 Rev A	22.01.2025
PROPOSED SECTION THROUGH REAR OUTRIGGER	106	22.01.2025

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.*

Cont…/

03. The development shall be carried out in accordance with the Construction Management Plan hereby approved and shall be fully implemented and adhered to throughout the entire construction period.

Reason: *In the interests of residential amenity and highway safety.*

04. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this permission 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 residential amenity.*

05. The development shall be carried out in accordance with the submitted Flood Risk Assessment and shall include implementation of a flood warning and evacuation plan to ensure safe access and egress. The approved flood risk management measures recommended in the FRA shall be fully implemented prior to occupation of the dwelling hereby approved and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To minimise risk from flooding in accordance with policy DM20 of the Worthing Local Plan and the NPPF.*

06. Precise details of sustainability measures shall be submitted to and approved in writing by the Local Planning Authority and the agreed measures shall be fully implemented before the dwelling is first occupied unless otherwise agreed in writing with the Local Planning Authority and thereafter retained.

Reason: *To minimise vulnerability and provide resilience to the effects of climate change having regard to Policies DM16 and DM17 of the Worthing Local Plan and the policies of the NPPF.*

07. The external materials, detailing and finishes of the development hereby permitted shall, prior to occupation of the dwelling hereby approved, be completed to match those of the existing building or as indicated on the approved plans and particulars.

Reason: *In the interests of visual amenity in accordance with policy DM5 of the Worthing Local Plan.*

08. The east and west side rooflight windows serving the bathroom and storage areas as indicated on the approved floor plan shall at all times be of level 3 (or above) obscured glass and shall not subsequently be altered in any way.

Reason: *In the interests of residential amenity and to comply with policy DM5 of the Worthing Local Plan.*

09. Secure, covered cycle parking shall be provided within the site as indicated on the approved drawings and in accordance with precise details to be submitted to and approved in writing by the Local Planning Authority. Such approved cycle facilities shall be provided on the site prior to occupation of the dwellings hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *In the interests of sustainable transport and amenity in accordance with DM15 of the Worthing 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. The Environment Agency strongly recommends the use of flood resistance and resilience measures.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the Planning Practice Guidance.

Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction
https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx

British Standard 85500 - Flood resistant and resilient construction
https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686

03. The developer is advised that no discharge of surface water sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul/surface water network to cope with additional sewerage flows are complete.

Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

04. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before the development commences. Further information can be found on the Council's website via the link:
https://www.adur-worthing.gov.uk/planning-policy/infrastructure/

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

05. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and Numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming

and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone Number: 01903 221479. Email: llpg@adur-worthing.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://www.gov.uk/appeal-planning-decision.

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).