Planning Services, Adur & Worthing Councils

Portland House,
44 Richmond Road,
Worthing,
West Sussex,
BN11 1HS

Tel : 01903 221065
websites : www.adur.gov.uk or www.worthing.gov.uk
e-mail : planning@adur-worthing.gov.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Land Between 40 And 44

Address Line 1

Brighton Road

Address Line 2

Address Line 3

West Sussex

Town/city

Lancing

Postcode

BN15 8ET

Description of site location must be completed if postcode is not known:

Easting (x)

518733

Northing (y)

103802

Description

Applicant Details

Name/Company

Title

Mr

First name

Mario

Surname

Bernard

Company Name

Bernard Construction Ltd

Address

Address line 1

C/o Domus Architecture Ltd

Address line 2

1 Campbell Street

Address line 3

Town/City

Leeds

County

Country

Postcode

LS28 6DP

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mr

First name

Paul

Surname

Smith

Company Name

Domus Architecture Ltd

Address

Address line 1

1 Campbell Street

Address line 2

Stanningley

Address line 3

Town/City

Leeds

County

Country

United Kingdom

Postcode

LS28 6DP

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Demolition of existing dwelling and construction of a 4-bedroom detached dwelling over 3 levels with rear terrace and associated works. New outbuilding with raised terrace to the south. New detached garage with guest bedroom over and cycle store to the north. Application to vary condition 1 (approved plans) of previously approved AWDM/0923/21. Amendments: increase in height of house by 0.85m, addition of lightwells to front. Increase in height to garage block by 0.37m; addition of cladding to garden room.

Reference number

AWDM/0970/23

Date of decision (date must be pre-application submission)

04/09/2024

Please state the condition number(s) to which this application relates

Condition number(s)

14. 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), no part of the area identified on the approved first floor plan as sedum flat roof shall be converted into or used as a balcony or terrace nor shall any access be formed thereto other than for purposes of maintenance.

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

01/10/2022

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The applicant wishes to use the flat roofs as balconies and revert to sliding doors and glazed balustrading for the following reasons:

1. There is no material difference in privacy levels between standing inside the dwelling at the full height glazed window and standing on a terrace. The outlook remains the same.
2. The aspect distance to the new dwelling at 44 Brighton Road is 22.82m from the window and 22.1m from the edge of the balcony
3. In the vicinity, there are balconies to the front elevations (facing Brighton Road) of 38 Brighton Road, 185a Brighton Road, 187 Brighton Road, 195 Brighton Road, and 197 Brighton Road.

Aditionally, side elevations would feature an opaque, glazed screen up to 1.8m from finished floor level to maintain privacy to the side elevations.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

The condition should be changed to permit sliding doors, glazed balustrading and use of the flat roof as a balcony in accordance with the drawings attached in support of this application.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [ ] Yes
- [x] No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

◯ Yes
⊘ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

◯ The Applicant
⊘ The Agent

Title

Mr

First Name

Paul

Surname

Smith

Declaration Date

17/09/2024

☑ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Paul Smith

Date

18/09/2024