WORTHING BOROUGH COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0851/24

Details of Development
CONVERT EXISTING OFFICES INTO 2 HOUSES. (CLASS C3). SIDE EXTENSION INSTEAD OF GARAGE. PART RETROSPECTIVE APPLICATION TO VARY CONDITION 1 (APPROVED PLANS), CONDITION 5 (HARD AND SOFT LANDSCAPING) AND REMOVE CONDITION 9 (MATCHING WINDOWS) OF PREVIOUSLY APPROVED AWDM/0451/22. AMENDMENTS: RETAIN WINDOWS AND CILLS, REINSTATE DECORATIVE BOARDING, AMENDMENT TO PERIMETER WALL AND CHANGES TO SOFT AND HARD LANDSCAPING.

Location of Development
FORMER PROJECT HOUSE 30A TO 30B THE DRIVE WORTHING WEST SUSSEX BN11 5LN

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 2nd July 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
08/08/2024

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
PROPOSED SITE PLAN, FLOOR PLANS AND ELEVATIONS	VC1 REV A	07.08.2024
PROPOSED GROUND FLOOR PLAN & OTHER DETAILS	VC2	02.07.2024

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

03. The external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed to match in design, colour and texture those of the existing building unless otherwise approved in writing by the Local Planning Authority. The decorative boarding to upper part of House 2 shown on the approved drawing VC1 Rev A shall be implemented prior to first occupation of the dwelling.

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

04. House 1 shall not be occupied unless and until fencing of the courtyard garden has been erected in accordance with the details agreed under AWDM/0288/23 and shall thereafter be retained permanently.

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

05. The hard and soft landscaping works shown on the approved drawing VC2 shall be implemented prior to first occupation of any dwelling and 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 policy DM5 of the Worthing Local Plan.*

06. 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), the proposed dwellings shall not be extended or any incidental building erected within its curtilage.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and policy DM5 of the Worthing Local Plan.*

07. 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 windows or other openings other than as hereby approved shall be formed in the external walls or roofs of the houses.

Reason: *To prevent overlooking and overdevelopment having regard to policy DM5 of the Worthing Local Plan.*

08. 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: *In the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policy DM22 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.

Ref: AWDM/0851/24

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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).