WORTHING BOROUGH COUNCIL

Mr Nigel Crawley
Nigel Crawley Architect
26 Cranston Road
Forest Hill
SE23 2HB

PLANNING REFUSAL

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

APPLICATION NUMBER: AWDM/0060/25

Details of Development
REMOVAL OF EXISTING GARAGE, PROPOSED 2 STOREY ONE BEDROOM DWELLING ACCESSED FROM PHROSSO ROAD

Location of Development
1 PHROSSO ROAD WORTHING WEST SUSSEX BN11 5SJ

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 28th February 2025.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
24/04/2025

Worthing Borough 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

Reasons for Refusal

01. The proposed development would represent an anomalous and visually discordant form of infill development that would be out of keeping with and harmful to existing local character and the street scene contrary to the NPPF and policy DM5 of the Worthing Local Plan.

02. The Local Planning Authority cannot be satisfied based on the accuracy of the submitted information relating to the existing habitat baseline that the development is exempt from providing biodiversity net gain as set out in the Biodiversity Gain Requirements (Exemptions) Regulations (2024) and as such is contrary to the provisions for biodiversity net gain required under Schedule 7A of the Town and Country Planning Act 1990.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-

Reference/Drawing Number	Version	Date Rec
SUPPORTING COVER LETTER	16th January 2025	28.02.2025
BNG July 2024	Version 1.2.2	28.02.2025
COVER PAGE January 2025	PL00	28.02.2025
SITE LOCATION & BLOCK PLAN	PL01	28.02.2025
EXISTING SITE AERIAL & STREET PHOTOS	PL02	28.02.2025
EXISTING STREET PHOTOS, BLOCK & ROOF PLAN	PL03	28.02.2025
EXISTING SITE PHOTOS	PL04	28.02.2025
EXISTING STREET CONTEXT ELEVATIONS (1)	PL05	28.02.2025
EXISTING STREET CONTEXT ELEVATIONS (2)	PL06	28.02.2025
EXISTING ELEVATIONS	PL07	28.02.2025
SITE CONTEXT ANALYSIS 01	PL08	28.02.2025
SITE CONTEXT ANALYSIS 02	PL09	28.02.2025
LOCAL CONTEXT:BOUNDARY TREATMENT 01	PL10	28.02.2025
LOCAL CONTEXT: BOUNDARY TREATMENT 02	PL11	28.02.2025
PROPOSED CONTEXT ELEVATIONS	PL12	28.02.2025

Reference/Drawing Number	Version	Date Rec
PROPOSED PLANS	PL13	28.02.2025
PROPOSED EAST (FRONT)/WEST (REAR) ELEVATIONS	PL14	28.02.2025
PROPOSED SIDE ELEVATIONS: NORTH/SOUTH	PL15	28.02.2025
PROPOSED FRONT ELEVATION & SECTIONS:	PL16	28.02.2025
PROPOSED SECTIONS	PL17	28.02.2025
DETAIL ELEVATION & MATERIALS	PL18	28.02.2025
PERSPECTIVE VIEW 1 OF PROPOSALS	PL19	28.02.2025
PERSPECTIVE VIEW 2 OF PROPOSALS	PL20	28.02.2025
EXISTING BLOCK PLAN	PL21	28.02.2025
PROPOSED BLOCK PLAN	PL22	28.02.2025
FLOOD RISK ASSESSMENT	PL23	28.02.2025
EXISTING/PROPOSED REAR ELEVATION W/O FENCE	PL24	28.02.2025
BIODIVERSITY SMALL SITES EXEMPTION DIAGRAM	PL25	28.02.2025
D&A STATEMENT 01 (Revised approach/rational)	PL26	28.02.2025
D&A STATEMENT 02 (Revised proposals: reduced massing/scale)	PL27	28.02.2025
D&A STATEMENT 03 (Extg condition & revised proposals axo views)	PL28	28.02.2025
D&A STATEMENT 04 (Extg condition & proposals adjoining)	PL29	28.02.2025

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal.

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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 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 can be made online at: https://www.gov.uk/appeal-planning-decision If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 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.

6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

7. 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.

8. 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.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. 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).