WORTHING BOROUGH COUNCIL

Lewis And Co Planning SE Ltd
2 Port Hall Road
Brighton
BN1 5PD
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1174/23

Details of Development
PART CHANGE OF USE OF GROUND FLOOR FROM RESTAURANT AND AMUSEMENT ARCADE TO RESTAURANT AND USE CLASS E (COMMERCIAL/BUSINESS) SPACE WITH NEW SHOPFRONTS TO BATH PLACE AND MARINE PARADE; CHANGE OF USE OF UPPER FLOORS FROM VACANT POOL / SNOOKER HALL; ASSOCIATED EXTENSIONS AND ALTERATIONS AT GROUND, FIRST, SECOND AND THIRD FLOOR REAR AND AT FOURTH FLOOR AND ROOF LEVEL TO CREATE 21 NO RESIDENTIAL DWELLINGS.

Location of Development
32 - 34 MARINE PARADE WORTHING WEST SUSSEX

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 23rd August 2023.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Head of Planning & Development
08/10/2025

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
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
EXTG/PROPOSED BASEMENT PLAN	A-07 Rev A	23.08.2023
EXTG/PROPOSED SECOND FLOOR PLAN	A-03 Rev F	17.04.2024
ACOUSTIC REPORT - NOISE IMPACT ASSESSMENT	1186.001R.2.0JP	23.08.2023
EXTG/PROPOSED SOUTH ELEVATION	A-08 REV G	28.05.2024
PROPOSED ALUMINIUM WINDOWS	A-22 REV B	28.05.2024
EXTG/PROPOSED FOURTH FLOOR PLAN	A-05 Rev E	25.03.2024
PROPOSED ALUMINIUM WINDOW - DETAIL	A-21 Rev A	25.03.2024
EXTG/PROPOSED EAST ELEVATION	A-10 Rev F	17.04.2024
EXTG/PROPOSED ROOF PLAN	A-06 Rev E	25.03.2024
EXTG/PROPOSED WEST ELEVATION	A-09 Rev E	25.03.2024
EXTG/PROPOSED NORTH ELEVATION	A-11 Rev E	25.03.2024
SECTION 2 - DETAILS	A-17 Rev E	25.03.2024
PRODUCT SPECIFICATION	RY5000 ESP	25.03.2024
SYSTEMAIR PRODUCT SPECIFICATION	MUB 062 560D6 MULTIBOX	25.03.2024
SYSTEMAIR PRODUCT SPECIFICATION	MUB 062 630D4 MULTIBOX	25.03.2024
PRODUCT SPECIFICATION TB188	MARDOME DOME ROOFLIGHT	25.03.2024
PRODUCT SPECIFICATION	EVA ANTIVIBRATION MOUNT	25.03.2024
PRODUCT SPECIFICATION	BiPVco Solar Panels	25.03.2024
PRODUCT SHEET	AVE Ltd Carbon Filter	25.03.2024

Reference/Drawing Number	Version	Date Rec
PRODUCT SHEET - SOLAR ROOF	CATNIC SOLAR SEAM	25.03.2024
DATA SHEET - SOLAR ROOF SYSTEM	BiPVco FLEXTRON	25.03.2024
EXTG/PROPOSED GROUND FLOOR PLAN	A-01 REV D	04.03.2024
ACOUSTICA TECHNICAL DATA SHEET	MUB ATTENUATOR	25.03.2024
SECTION 3/SECTION 4	A-19	04.03.2024
EXTG/PROPOSED FIRST FLOOR PLAN	A-02 REV D	04.03.2024
SMART VISOFOLD - PRODUCT SPECIFICATION	ALUMINIUM FOLDING DOOR	04.03.2024
SMART BROCHURE	ALUMINIUM DOORS	04.03.2024
PRODUCT DRAWING	STAYFIX VS WINDOW	04.03.2024
CLIMATE 1 BROCHURE	ALUMINIUM WINDOW SYSTEM	04.03.2024
FLOOD RISK & SUSTAINABLE DRAINAGE ASSESSMENT	REF: 1654/01/HOP/RPT/01	08.01.2024
LOCATION PLAN/BLOCK PLAN	U-01 REV C	12.02.2024
EXTG/PROPOSED THIRD FLOOR PLAN	A-04 REV C	12.02.2024
MITSUBISHI ASHP - DATA SHEET	ECODAN R32	12.02.2024

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 works to implement the development shall be carried out unless and until a schedule and samples of the materials, colours and finishes to be used for the external walls and roofs of the proposed development (including all new and replacement windows and doors and balustrading to roof terraces) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved schedule and samples.

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

04. No works to implement the development hereby permitted shall be carried out unless and until drawings (including vertical and horizontal sections) of the detailed design, proportions and profiles of all new and replacement windows and doors of the development, and the detailed design, construction and profile(s) of the roofs of the roof extensions, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall only be carried out in accordance with the agreed details.

Reason: *In the interests of visual amenity and to safeguard the character of the building and the conservation area having regard to policies DM5 and DM24 of the Worthing Local Plan.*

05. No works to implement the development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CMP shall be implemented and adhered to throughout the entire demolition/construction period. The CMP shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- a commitment to no burning on site;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works;
- methods to control dust from the site.

Reason: *In the interests of highway safety and amenity having regard to Policies DM15 and DM22 of the Worthing Local Plan.*

06. The secure, covered cycle parking provision shown on the approved plan A-01 REV D shall be provided prior to first occupation of any dwelling hereby approved and shall thereafter be retained solely for such purposes and kept free from obstruction (including access thereto) at all times.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and having regard to policy DM15 of the Worthing Local Plan.*

07. The security/sensor lighting to the side passage/footpath leading to the covered cycle parking provision annotated on the approved plan A-01 REV D shall be provided prior to first occupation of any dwelling hereby approved and shall thereafter be retained in working order at all times.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and having regard to policy DM15 of the Worthing Local Plan.*

08. No works to implement the development shall take place unless and until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement have been submitted to and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings and FRA (Flood Risk & Sustainable Drainage Assessment by HOP, 03/01/2024, revision V1.2) and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: *To ensure that the development achieves a high standard of sustainability and in accordance with the NPPF and policy DM20 of the Worthing Local Plan.*

09. The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

i) a timetable for its implementation;
ii) details of SuDS features and connecting drainage structures and maintenance requirement for each aspect;
iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and policy DM20 of the Worthing Local Plan.*

10. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 8. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

    Reason: *To ensure that the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the NPPF and policy DM20 of the Worthing Local Plan.*

11. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-
    Monday - Friday 08:00 - 18:00 Hours;
    Saturday 09:00 - 13:00 Hours;
    Sundays, Bank and Public 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: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies DM5 and DM22 of the Worthing Local Plan.*

12. Work to implement the development shall not commence unless and until a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

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

13. The residential units hereby approved shall not be occupied unless and until a scheme for protecting the proposed noise sensitive development from noise from the lift shaft has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of this noise sensitive unit is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

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

14. The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before any residential unit is occupied a test shall be undertaken to demonstrate compliance with this level.

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

15. No works to implement the development shall take place unless and until an acoustic assessment of the impact of noise from the basement commercial unit (No33-34) upon the residential units above has been undertaken and submitted to the local planning authority. The impact assessment shall include details of any mitigation necessary for protecting the residential units having regard to the principles contained within the World Health Organisation community noise guidelines and ensure the standards within Table 4 of BS8233:2014 are achieved in the residential units. All works which form part of the scheme shall be completed in accordance with the approved details before any parts of the residential units are occupied.

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

16. No use of the ground-floor premises of No. 33-34 Marine Parade (including arrival, reception or dispatch of deliveries) shall take place except between the hours of 0700 and Midnight on any day.

    Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies DM5 and DM22 of the Worthing Local Plan.*

17. No primary cooking of food shall take place on the ground-floor premises of No. 33-34 Marine Parade. Only pre- cooked food shall be warmed and/or re-heated on the premises by means of a microwave oven, panini grill, jacket potato oven or soup kettle. No other means of warming or re-heating pre-cooked food shall take place on the premises unless details of the appliance/equipment have been

submitted to and approved in writing by the Local Planning Authority in an application on that behalf.

Reason: *To safeguard the amenities of the occupiers of nearby properties owing to the absence of any means of ventilation for the extraction and disposal of cooking odours from the premises, having regard to policies DM5 and DM22 of the Worthing Local Plan.*

18. Notwithstanding the provisions the Town and Country Planning (Use Classes) Order 1987 (as amended) the ground-floor premises at No. 33-34 Marine Parade shall not be used for any purpose within Class E (c) (d) (e) (f) or (g) of the Schedule to Order (or in any provision equivalent to those sub-classes in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *To maintain the character and vibrancy of the seafront whilst having regard to the amenities of neighbouring residential occupiers in accordance with policy DM13 of the Worthing Local Plan.*

19. The replacement extraction system and odour abatement equipment/treatment for the existing restaurant use at No. 32 Marine Parade shall be implemented in accordance with the submitted odour risk assessment, specification and mitigation measures listed in Condition 1 of this permission prior to first occupation of any dwelling hereby permitted.

Reason: *To safeguard the amenities of the occupiers of nearby properties having regard to policies DM5 and DM22 of the Worthing Local Plan.*

20. No work to implement the development shall take place unless and until details of the proposed sustainability measures including not less than 7no ASHPs and an integrated solar PV array on the roof have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied until the agreed sustainability measures have been installed.

Reason: *In the interests of sustainable development and to comply with policies DM16 and DM17 of the Worthing Local Plan.*

21. Prior to installation details of the external fixed plant and equipment (including the ASHPs and any other air handling plant) including noise emissions and any necessary acoustic attenuation measures shall be submitted to and approved in writing by the Local Planning Authority and shall only be installed in accordance with the approved details. The acoustic attenuation measures shall be completed prior to occupation of any dwelling hereby permitted and shall thereafter be retained permanently.

Reason: *To safeguard the amenities of the occupiers having regard to policies DM5 and DM22 of the Worthing Local Plan.*

22. The windows in the north elevation of Flat 1 and Flat 8 shown on the approved plans shall at all times be fitted with obscured glass (not less than Obscurity Level 3).

Reason: *To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan.*

23. No works to implement the development shall take place unless a draft 'Sustainable Travel Pack' incorporating sustainable travel incentives and discounts for the occupiers of the proposed dwellings has been submitted to and approved in writing by the local planning authority. The approved 'Sustainable Travel Pack' shall thereafter be implemented in full accordance with a timetable to be approved.

Reason: *To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with the NPPF and policy DM15 of the Worthing Local Plan.*

24. No work to implement the development shall take place until details of the facilities for storing refuse/waste/recycling to serve the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the agreed refuse/waste/recycling provision has been provided and shall thereafter be permanently retained.

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

03. 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.

04. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read the New Connections Charging Arrangements documents which are available on the Southern Water website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service:
developerservices.southernwater.co.uk and please read the New Connections Charging Arrangements documents which are available to read on the Southern Water website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

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

05. Environment Agency Advice to the Applicant

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. The EA flood warning service is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding

To get help during a flood, visit https://www.gov.uk/help-during-flood

For advice on what do after a flood, visit https://www.gov.uk/after-flood

06. Temporary Works Required During Construction

The Applicant is advised of the requirement to enter into early discussions with and obtain the necessary licences from the Local Highway Authority to cover any temporary construction-related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

07. Works within the Highway - Implementation Team

The Applicant is required to obtain all appropriate consents from West Sussex County Council as Highway Authority to cover the off-site highway works. The Applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The Applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Ref: AWDM/1174/23

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 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).