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/0118/24

Details of Development
DEMOLITION OF EXISTING 4-BEDROOM DETACHED HOUSE AND ERECTION OF 2NO. SELF-BUILD 4-BEDROOM DETACHED HOUSES WITH NEW ACCESS TO PLOT 2, CAR BARN TO PLOT 1 AND ASSOCIATED LANDSCAPING AND SURFACING

Location of Development
6 FURZE CLOSE WORTHING WEST SUSSEX BN13 3BJ

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 January 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
22/08/2024

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
TREE RETENTION PLAN	PJC-6022-22-B	22.07.2024
ROOT PROTECTION AREA INCURSIONS PLAN	PJC-6022-22-C	22.07.2024
SITE PLAN	PL-01H	22.07.2024
PRELIMINARY ECOLOGICAL APPRAISAL	LLD3218-ECO-REP-001-02	19.06.2024
BAT EMERGENCE SURVEY REPORT	LLD3218-ECO-REP-002-00	19.06.2024
DESIGN & ACCESS STATEMENT	7284-D05-DAS (REVISED)	22.07.2024
LOCATION PLAN	LOC-01B	30.01.2024
PLOT 1: PROPOSED PLANS & ELEVATIONS	PL-02D	30.01.2024
PLOT 2: PROPOSED PLANS & ELEVATIONS	PL-03D	30.01.2024
PROPOSED STREET SCENE	PL-05E	30.01.2024
EXISTING SURVEY ELEVATIONS	PL-06 P2	30.01.2024
EXISTING SITE TOPOGRAPHICAL SURVEY & FLOOR PLANS	PL-07A	30.01.2024

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. Works to implement the development shall not commence unless and until a schedule and samples of materials and finishes to be used for the external walls and roofs of the proposed dwellings and a specification detailing the windows, external doors, roof lights and balcony railings, 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 approved schedule/samples and specifications.

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

04. Works to implement the development shall not progress beyond slab level unless and until a schedule and samples of surfacing materials to be used for the areas of vehicle hardstanding/driveways, patios and footpaths within the site 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 approved schedule/samples.

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

05. Works to implement the development shall not progress beyond slab level unless and until details of the design and construction of the proposed 'car barn' for Plot 1 as shown on PL-01 Rev H have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the 'car barn' shall only be implemented in accordance with the approved design and construction details.

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

06. Works to implement the development shall not commence unless and until details of the finished floor levels of the proposed dwellings and any alterations to the ground levels of the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with such details as approved.

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

07. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the development in accordance with policy DM15 of the Worthing Local Plan.*

08. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

09. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) and follow the hierarchy of preference in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting

calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. Winter infiltration testing to BRE DG365, or similar approved, with a note of the depth that groundwater is encountered (if encountered), will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: *To ensure flood risk is adequately addressed and not increased in accordance with the NPPF and policy DM20 of the Worthing Local Plan.*

10. The development hereby approved shall not be 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 details of the scheme to be submitted for approval shall include:

(i) a timetable for its implementation.
(ii) details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
(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. This will include the name and contact details of any appointed management company.

Reason: *To prevent flooding in accordance with National Planning Policy Framework paragraphs 165-175 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events by ensuring the SuDS proposed operates as designed for the lifetime of the development.*

11. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0900 and 1300 on Saturdays. no works shall take place on Sundays or on Bank or Public Holidays. 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. No development shall take place including any works of demolition until and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan 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,
- the method of access and routing of vehicles during construction,
- HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's),
- 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), methods to control dust from the site,
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites,
- details of public and neighbour engagement both prior to and during construction works.

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

13. Precise details of the proposed ecological enhancements as shown on the approved plan PL-01 Rev H and recommended within the submitted Preliminary Ecological Appraisal LLD3218-ECO-REP-001-02-PEA shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied unless and until the agreed ecological enhancement for the respective dwelling plot have been provided.

Reason: *In the interests of biodiversity having regard to policy DM18 of the Worthing Local Plan.*

14. Full details of the proposed soft landscaping works to include additional hedge-planting and not less than 13no new trees together with time-scales for implementation shall be submitted to and approved in writing by the Local Planning Authority. All soft landscape works shall be carried out in accordance with the agreed details and times. 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 DM19 of the Worthing Local Plan.*

15. No development, including site works of any description, shall take place on the site unless and until all the existing trees identified for retention on the approved Site Plan PL-01 Rev H have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the local planning authority. The method statement shall include any proposals for pruning or other tree preventative

works necessary during construction. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

Reason: *To protect the existing trees from damage and to comply with policy DM19 of the Worthing Local Plan.*

16. Details of the type, design and location of the proposed renewable and low carbon energy production equipment to meet at least 10% of the predicted total energy requirements of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The agreed renewable and low carbon energy production equipment shall be installed and implemented prior to first occupation of each respective dwelling.

Reason: *To reduce carbon emissions in accordance with policy DM17 of Worthing Local Plan.*

17. Prior to first occupation of each dwelling evidence shall be submitted to demonstrate the dwelling has achieved a minimum 'B' rating Energy Performance Certificate.

Reason: *To reduce carbon emissions in accordance with policy DM16 of the Worthing Local Plan.*

18. The first-floor window in the South side elevation of the dwelling (Plot 2) hereby permitted shall at all times be glazed with obscured glass.

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

19. 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 at first-floor or above (other than as hereby approved) shall be formed in the elevations or roof slopes of the dwellings.

Reason: *To prevent overlooking and to safeguard dark night skies having regard to policy DM5 of the Worthing Local Plan.*

20. 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 enlarged or any incidental building over 10 cubic metres in volume erected within their 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.*

21. Details of the positions, design, materials and types of boundary treatment(s) to be erected, including gates/fencing fronting Furze Close, shall be submitted to and

approved in writing by the Local Planning Authority. The boundary treatment(s) shall be completed in accordance with the approved details before first occupation of the respective dwelling.

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

22. The development hereby permitted shall consist of self-build and custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

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

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. A formal application for connection to the public sewerage system is required in order to service this development. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our 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

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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

03. 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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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).