WORTHING BOROUGH COUNCIL

Mr Simon Bareham
Lewis and Co Planning SE Ltd
2 Port Hall Road
Brighton
BN1 5PD

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1031/24

Details of Development
SINGLE STOREY SIDE EXTENSION TO FACILITATE CONVERSION OF TWO FLATS TO THE REAR INTO TWO STUDIO UNITS AND ONE DUPLEX UNIT; CONVERSION OF REAR FACING WINDOW INTO PATIO DOOR. CREATION OF PRIVATE AMENITY SPACE.

Location of Development
125 LYNDHURST ROAD 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 29th August 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
05/12/2024

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
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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 PLANS	ADC1052/69 B	25.10.2024
PROPOSED ELEVATIONS	ADC1052/70 B	25.10.2024
EXISTING & PROPOSED SITE PLAN	ADC1052/71 B	25.10.2024
DESIGN & ACCESS STATEMENT		29.08.2024
LOCATION & BLOCK PLAN	ADC1052/LP	29.08.2024
EXISTING PLANS	ADC1052/64 A	29.08.2024
EXISTING ELEVATIONS	ADC1052/65	29.08.2024
EXISTING ELEVATIONS	ADC1052/67 A	29.08.2024

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. 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.

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

04. The single storey extension hereby approved, shall be completed in full prior to the occupation of the two-storey maisonette. The extension shall thereafter be maintained for the lifetime of the development.

Reason: *To ensure the unit has adequate internal floor area in accordance with policy DM2 of the Worthing Local Plan (2023)*

05. Prior to occupation of the ground floor studio, the proposed north facing doors shall be installed in full. They shall thereafter be retained for the lifetime of the development.

Reason: *To ensure an adequate standard of accommodation for future occupiers in accordance with policy DM5 of the Worthing Local Plan*

06. No development shall commence until a scheme for mitigating noise transmission between the new residential units has been submitted to and approved in writing by the local planning authority. All works, which form part of the scheme, shall be completed before the new flat hereby approved is first occupied.

Reason: *In the interest of neighbour amenity having regard to policies DM5 and DM22 of the Worthing Local Plan (2023)*

07. Prior to occupation of the units hereby approved, the cycle store shown on the approved site plan shall be installed in full. The store shall thereafter be maintained and retained for the lifetime of the development.

Reason: *To promote sustainable forms of transport in accordance with policy DM15 of the Worthing Local Plan*

08. Prior to occupation of the units hereby approved, all of the shrub / buffer planting shown on the approved site plan shall be installed in full. The planting shall thereafter be maintained and retained for the lifetime of the development.

Reason: *To ensure privacy for the residents of the new units in accordance with policy DM5 of the Worthing Local Plan*

09. 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 and Bank 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 residential amenity of the area in accordance with policy DM5 of the Worthing Local Plan*

10. No part of the development shall be first occupied until details of the active EV charging point have been submitted to the Local Planning Authority and approved in writing. The details shall be installed and thereafter retained for their designated use for the lifetime of the development.

Reason: *To provide adequate on-site car parking for the development*

Ref: AWDM/1031/24

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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://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).