WORTHING BOROUGH COUNCIL

Howard Fairbairn MHK
Howard Fairbairn Project Services Ltd
Lambourn House
Redlands
Coulsdon
CR5 2HT

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1669/23

Details of Development
CONSTRUCTION OF ADDITIONAL FLOOR ON THE EXISTING BUILDING 'DURSTON HOUSE' COMPRISING 4 RESIDENTIAL APARTMENTS (2 X 1 BEDROOM AND 2 X 2 BEDROOM).

Location of Development
DURSTON HOUSE 21 CHESTERFIELD 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 4th December 2023.

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
27/02/2024

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
Web: www.adur-worthing.gov.uk

Ref: AWDM/1669/23

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
CONSTRUCTION MANAGEMENT PLAN		10.01.2024
LOCATION PLAN, EXISTING FLOOR PLAN, ROOF EXTENSION & PROPOSED ELEVATIONS	6541-P01 F	09.02.2024
PART O - TM59 THERMAL ANALYSIS REPORT	QTE017964 REV 1	21.02.2024
SUPPLEMENTARY INFO TO ACOUSTIC REPORT	22087-003	21.02.2024
SUPPORTING STATEMENT		04.12.2023
ACOUSTIC REPORT	22087-002	04.12.2023
CONSTRUCTION METHOD STATEMENT & LOGISTICS PLAN		04.12.2023
SITE INVETIGATION REPORT		04.12.2023
PHOTO OF EXISTING COMMUNAL TV AERIAL		04.12.2023
MATERIALS	6541-DC02	04.12.2023

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 specified in the application 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 Core Strategy.*

04. At all times the development shall be completed in accordance with the details contained in the submitted Construction Method Statement and later plan addition.

Reason: *In the interests of highway safety and the amenities of the residents of Durston House and the wider area in accordance with Worthing Local Plan policies DM5 and DM22 and The National Planning Policy Framework.*

05. No occupation of any dwelling hereby allowed shall take place unless and until it has been demonstrated to the Local Planning Authority's satisfaction that the sound insulation between the new flats including balconies and the floor, stairs and walls below meets the standards set out in Table 0.1a Dwelling Houses and flats - performance standard for separating walls, separating floors, and stairs that have a separating function in the Building Regulations for new buildings:

Purpose Built dwelling houses and flats

	Airborne sound insulation Sound insulation	Impact Sound insulation
	Dnt,w + Ctr dB	L'nt,w dB
	(Minimum values)	(Maximum values)
Walls	45	-
Floors and stairs	45	62

Reason: *To safeguard the amenity of future and neighbouring occupiers from noise disturbance between floors bearing in mind the stacking of the flats having regard to policies DM5 and DM22 of the Local Plan, Planning Noise Advice Document Sussex and the National Planning Policy Framework.*

06. The soft landscaping shown on the approved drawing shall be planted prior to first occupation of any of the four new flats. 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 policies DM5 and DM18 of the Worthing Local Plan.*

07. At all times following the development the car parking, cycle parking and bin storage areas shown on the plans hereby approved shall be kept available for their stated purposes.

Reason: *In the interest of amenity having regard to policy DM5 of the local plan.*

08. All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times:-

Monday Friday 09:00 -17:00 Hours only.
Saturdays, Sundays and Bank Holidays no work permitted.

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

09. Prior to any construction a report detailing proposed renewable and low carbon energy production equipment, i.e. PV's, to meet at least 10% of predicted total energy requirements shall be submitted and approved in writing by the Local Planning Authority. In addition the report shall set out the measures to ensure a water use of no more than 110 litres per person per day.
Such measures shall be installed prior to first occupation.

Reason: *In the interest of sustainable design having regard to Local Plan policies 17 and 21.*

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.

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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).