WORTHING BOROUGH COUNCIL

Mr Huw James
ECE Planning Limited
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Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1567/24

Details of Development
PROPOSED SINGLE STOREY ANNEXE TO THE REAR OF THE GARDEN

Location of Development
19 FARNCOMBE 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 18th December 2024.

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
20/05/2025

Adur & Worthing Councils, Development Management, Place Directorate,
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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
EXISTING SITE PLAN	EX06B	18.12.2024
EXISTING ELEVATIONS 1	EX07	18.12.2024
EXISTING ELEVATIONS 2	EX08	18.12.2024
PLANNING STATEMENT	P2110i REV 3	18.12.2024
PRE-DEVELOPMENT SITE HABITAT PLAN	FIG-001-00	18.12.2024
PRE-DEVELOPMENT SITE HABITAT PLAN ANNEXE	FIG-001-02	18.12.2024
POST-DEVELOPMENT SITE HABITAT PLAN ANNEXE	FIG-002-00	18.12.2024
ECOLOGICAL IMPACT ASSESSMENT	REP-001-01-EcIA REV 01	18.12.2024
BNG STATEMENT	REP-002-02-BNG REV 02	18.12.2024
EXISTING LOCATION PLAN	EX07	07.03.2025
INFILTRATION TESTING REPORT V1.01	GWPR6460/IR/February2025	12.02.2025
PROPOSED LOCATION & BLOCK PLANS	PL05C	10.04.2025
PROPOSED SITE PLAN	PL06D	10.04.2025
PROPOSED ELEVATIONS 1	PL07B	17.03.2025
PROPOSED ELEVATIONS 2	PL08B	17.03.2025
PROPOSED ELEVATIONS 3	PL09A	17.03.2025
BNG METRIC		10.04.2025

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 development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Construction Management Plan and shall be adhered to throughout the construction period. The Construction Management Plan shall provide for but not necessarily be restricted to the following matters:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of protective/security fencing; and
(v) measures to control the emission of dust and dirt during construction.

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

04. The Biodiversity Gain Plan shall be prepared in accordance with the BNG Metric deposited 10.04.2025 and BNG Statement deposited 18.12.2024 prepared by Lizard Landscape Design and Ecology unless otherwise agreed in writing with the Local Planning Authority.

Reason: *To ensure the protection, conservation and enhancement of biodiversity in accordance with Policy DM18 of the Worthing Local Plan and the NPPF.*

05. The development shall not commence until a Landscape and Ecological Management Plan has been submitted to and agreed in writing by the Local Planning Authority which shall include management and monitoring to maintain habitat in accordance with the Biodiversity Gain Plan for a minimum period of 30 years from the completion of the development.

Reason: *To ensure that the proposed habitats are delivered and target conditions are achieved and maintained for at least 30 years.*

06. 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) 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. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set

out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring will be required to support the already provided infiltration testing and 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 the flood risk is adequately addressed and not increased in accordance with NPPF and policy DM20 of the Worthing Local Plan.*

07. Works shall not progress past foundation stage unless and until precise details of sustainable design measures have been submitted to and approved in writing by the Local Planning Authority and the agreed measures shall be fully implemented before the building is first brought into use and shall be retained thereafter.

Reason: *In the interest of sustainable development in accordance with policy DM16 of the Worthing Local Plan and the NPPF.*

08. Development shall not progress beyond the foundation stage unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection for the duration of construction works including protective barriers surrounding root protection areas in accordance with BS 5837:2012 or as otherwise agreed in writing with the Local Planning Authority.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of hard landscaping shall be completed prior to the approved building being brought into use.

Reason: *In the interests of visual amenity and the environment and to comply with policies DM5 and DM19 of the Worthing Local Plan.*

09. Development shall not progress beyond foundation stage unless and until a schedule of materials and finishes to be used for the external walls, roof, windows and doors of the building hereby approved, has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed and thereafter retained in accordance with the approved details.

Reason: *In the interests of visual amenity and to comply with policies DM5 and DM24 of the Worthing Local Plan.*

10. The development hereby approved shall not be brought into use 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 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 details of design life and 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 ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for the development and not increased in accordance with NPPF and policy DM20 of the Worthing Local Plan.*

11. Secure, covered cycle parking shall be provided within the curtilage of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such approved cycle facilities shall be provided on the site before the building hereby approved is first brought into use and shall thereafter be retained permanently solely for such purposes.

    Reason: *To encourage and provide for a sustainable non-car mode of transport having regard to policy DM15 of the Worthing Local Plan.*

12. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this permission 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: *In the interests of residential amenity.*

13. The development shall be carried out in accordance with the submitted Ecological Impact Assessment deposited 18.12.2024 prepared by Lizard Landscape Design and Ecology and shall include implementation of the mitigation and compensation measures and recommended ecological enhancements prior to the building hereby approved being brought into use unless otherwise agreed in writing with the Local Planning Authority and shall be retained and maintained thereafter.

    Reason: *To ensure the protection, conservation and enhancement of biodiversity in accordance with policy DM18 of the Worthing Local Plan and the NPPF.*

14. The use of the annexe building hereby permitted shall be used solely for purposes ancillary to the use of the site as a whole for office accommodation purposes and shall not be used as a separate business.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in any wall of the building hereby approved.

    Reason: *In the interests of residential 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. West Sussex Fire and Rescue Service have advised of the requirement to ensure all points inside the annex are within 45 metres of the location of a fire appliance in accordance with Approved Document B (AD-B) Volume 1 B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement as this type of measurement can rarely be achieved due to obstructions. Any areas not within the 45-metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS8458 standards.

03. BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority; and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Worthing Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

STATUTORY EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS IN RESPECT OF THE BIODIVERSITY GAIN CONDITION

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and:

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

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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).