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/1521/23

Details of Development
ERECTION OF A TIMBER PRE-FABRICATED SINGLE STOREY GRANNY ANNEXE FOR ANCILLARY USE TO THE MAIN DWELLING.

Location of Development
63 LAVINGTON ROAD WORTHING WEST SUSSEX BN14 7SH

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 8th November 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
15/03/2024

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
SECTION/EMAIL OF CLARIFICATION		01.02.2024
FOOTPRINT	2172.10.23D.01 REV 11	05.03.2024
NORTH & WEST ELEVATIONS	2172.10.23D.02 REV 11	05.03.2024
SOUTH & EAST ELEVATIONS	2172.10.23D.03 REV 11	05.03.2024
LOCATION/BLOCK PLAN	2172.10.23D.04 REV 11	05.03.2024
PROPOSED BLOCK PLAN	2172.10.23D.05 REV 11	05.03.2024
PLANNING, DESIGN & ACCESS STATEMENT	NAPC/JD/1408/JM	08.11.2023

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 walls and roof of the annexe building hereby permitted shall, prior to commencement of use of the additional accommodation, be completed as indicated on the approved plans and particulars.

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

04. A 2 metre high timber 'hit and miss' screen fence shall be installed to the western boundary of the rear garden before the annexe building is first brought into use, or as otherwise agreed in writing with the Local Planning Authority, and shall be retained thereafter.

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

05. An obscure glazed privacy screen shall be installed to the eastern edge of the patio/terrace at a height of 1.7m above the finished patio/terrace level or as otherwise agreed in writing with the Local Planning Authority before the patio/terrace is first brought into use, and shall be retained thereafter.

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

06. There shall be no subdivision of the external curtilage at any time.

Reason: *In the interests of amenity in accordance with policy DM5 of the Worthing Local Plan.*

07. The window in the south elevation of the annexe building hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

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

08. The replacement tree planting shall be carried out in the first planting season following commencement of the use of the annexe building or completion of the development, whichever is the sooner, in accordance with the approved plans and particulars or as otherwise agreed in writing with the Local Planning Authority. If the replacement trees dies, is removed, or becomes seriously damaged or diseased within a period of 5 years from the completion of the development, it shall be replaced in the next planting season with another tree of similar size and species unless as otherwise agreed in writing with the Local Planning Authority.

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

09. 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, doors, external alterations or other openings (other than as hereby approved) shall be formed in the external walls of the annexe building.

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

10. The accommodation hereby permitted shall only be occupied by a dependant relative and solely for purposes ancillary to the occupation and enjoyment of the property as a whole (as it exists at the date of this permission) as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: *In the interests of residential amenity having regard to 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.

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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, and you want to appeal, then you must do so within 12 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-householder-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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).

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