WORTHING BOROUGH COUNCIL

Mr James Breckell
James Breckell Architects
89 Old Fort Road
Shoreham by Sea
BN43 5HA
United Kingdom

PLANNING REFUSAL

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

APPLICATION NUMBER: AWDM/0238/24

Details of Development
CONVERSION AND ALTERATION OF EXISTING CARE HOME TO CREATE 8NO RESIDENTIAL UNITS (INCLUDING ALTERATIONS TO ORIGINAL COACH HOUSE TO CREATE A DETACHED TWO STOREY 3NO. BEDROOM DWELLING) WITH PROVISION OF 7NO CAR PARKING SPACES. APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF AWDM/0601/21 (TO RETAIN THE EXISTING CONSERVATORY)

Location of Development
KINGS MANOR 140 HEENE ROAD WORTHING WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 20th February 2024.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
16/04/2024

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

SCHEDULE

Reasons for Refusal

01. The retention of, and proposed alteration to, the existing conservatory would detract from the historic character of this important heritage asset and result in an oppressive and overbearing impact on Unit 3 on the ground-floor, as well as detracting from the amenity value of the external space. The proposed development would result in a materially poorer quality of development than previously approved under AWDM/0601/21 that would be unacceptably harmful to the character and appearance of the Heene Conservation Area and the amenities of the 7no approved flats contained within the building. The development is therefore contrary to policies DM2, DM5 and DM24 of the Worthing Local Plan and the relevant policies of the NPPF.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-.

Reference/Drawing Number	Version	Date Rec
DESIGN & ACCESS STATEMENT		20.02.2024
LOCATION & BLOCK PLANS AS APPROVED	101A	20.02.2024
PROPOSED LOCATION & BLOCK PLAN	102A	20.02.2024
APPROVED & PROPOSED SITE PLAN	103A	20.02.2024
APPROVED & PROPOSED FLOOR PLANS	104A	20.02.2024
APPROVED & PROPOSED ELEVATIONS	105A	20.02.2024
APPROVED & PROPOSED ELEVATIONS	106A	20.02.2024

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal. This concern is considered so fundamental that the resulting harm could not reasonably be remedied by amendment of the application.

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, 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 can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.