WORTHING BOROUGH COUNCIL

Mr Huw James
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/0906/24

Details of Development
**PROPOSED REMODELLING AND ENLARGEMENT OF EXISTING DWELLING INVOLVING 2-STOREY FRONT EXTENSIONS WITH 2NO FIRST-FLOOR TERRACES; FIRST-FLOOR SIDE/REAR EXTENSION; ROOMS IN REPLACEMENT ROOF WITH RAISED RIDGE, FRONT AND REAR DORMERS AND ROOFLIGHTS; ASSOCIATED ELEVATION ALTERATIONS INCLUDING RE-FENESTRATION, INSERTION OF ROOF LANTERN ABOVE EXISTING FLAT ROOF AND REMOVAL OF REAR CHIMNEY BREAST/STACK.**

Location of Development
**26 MARINE DRIVE WORTHING WEST SUSSEX BN12 4QN**

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 25th July 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
12/09/2024

## 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 |
|---|---|---|
| FLOOR PLANS | ARC/044/24/01 | 25.07.2024 |
| ELEVATIONS | ARC/044/24/02 | 25.07.2024 |
| SECTIONS | ARC/044/24/03 | 25.07.2024 |
| SITE & LOCATION PLAN | ARC/044/24/04 | 25.07.2024 |
| EXISTING STREET SCENES | ARC/044/24/05 | 25.07.2024 |
| PROPOSED FLOOR PLANS (1 OF 2) | ARC/044/24/06 REV A | 25.07.2024 |
| PROPOSED SECTIONS | ARC/044/24/09 REV A | 25.07.2024 |
| PROPOSED SITE & LOCATION PLAN | ARC/044/24/11 REV A | 25.07.2024 |
| FLOOD RISK ASSESSMENT | REV A | 25.07.2024 |
| ROOF LANTERN ON ROOF PLAN | | 25.07.2024 |
| PROPOSED FLOOR PLANS (2 OF 2) | ARC/044/24/07 REV B | 22.08.2024 |
| PROPOSED ELEVATIONS | ARC/044/24/08 REV B | 22.08.2024 |
| PROPOSED STREET SCENES | ARC/044/24/10 REV B | 22.08.2024 |

**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. No work to implement the development shall be carried out unless and until a schedule and samples of materials and finishes/colours to be used for the external walls (including windows and doors) and roof(s) of the remodelling and extensions and alterations hereby permitted have been submitted to and

approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved schedule and samples.

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

04. No works to implement the development shall be carried out unless and until scaled drawings and sections detailing the construction of the front dormer, verge/bargeboard to front gable features, balustrading to balcony/sun terraces (including method(s) of fixing), and a specification and drawings detailing the glazing system to the front facade (including frame thicknesses, profiles and sub-divided proportions) shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall only be carried out in accordance with the agreed architectural details.

**Reason**: *To ensure a high quality development in accordance with policy DM5 of the Worthing Local Plan.*

05. 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 or other openings (other than as hereby approved) shall be formed in the East, West or rear (North) elevations and roofslopes of the remodelled dwelling.

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

06. The roof window in the East side roof slope shall be non-opening except that part which is above 1.7 metres above the floor of the room in which the roof 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.*

07. All the windows at first and second-floor in the rear (North) elevation of the remodelled dwelling shall be fitted and retained at all times with obscured glass (with obscuration equivalent to or greater than Pilkington Obscure Glass 4).

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

08. Prior to first occupation of the remodelled dwelling close-boarded timber fencing 2 metres high (or other similar boundary treatment of which details shall have been agreed in writing with the local planning authority) shall be erected along the full width of the Northern (rear) site boundary and shall thereafter be retained.

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

09. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 09.00 and 18.00 on Monday to Friday and between the hours of 09.00 and 13.00 on Saturdays. No work shall take place on Sundays or on Bank or Public Holidays.

**Reason**: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies DM5 and DM22 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. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before the development commences. Further information can be found on the Council's website via the link https://www.adur-worthing.gov.uk/planning-policy/infrastructure/

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

**Ref: AWDM/0906/24**

**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 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).