

From: <[planning@adur-worthing.gov.uk](mailto:planning@adur-worthing.gov.uk)>  
Date: Thu, 10 Jul 2025 at 20:45  
Subject: Comments for Planning Application AWDM/0484/25  
To: <[planning@adur-worthing.gov.uk](mailto:planning@adur-worthing.gov.uk)>

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10/07/2025 8:45 PM from Mrs Anita Nuttall.

### Application Summary

|               |                                                                                                                                                                                                                                       |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:      | 40 Marine Parade Worthing West Sussex                                                                                                                                                                                                 |
| Proposal:     | Retention of alterations to frontage decking to create access ramp with associated timber wall (1.2m high above edge of ramp), also retention of timber wall at side boundary (2.06m high above the deck and 2.4m above ground level) |
| Case Officer: | Stephen Cantwell                                                                                                                                                                                                                      |

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### Customer Details

|          |                                                           |
|----------|-----------------------------------------------------------|
| Name:    | Mrs Anita Nuttall                                         |
| Email:   |                                                           |
| Address: | Flat 3 Oyster Court 41 Marine Parade Worthing West Sussex |

### Comments Details

|                      |                                                                                                                                                                                                             |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Commenter Type:      | Neighbour                                                                                                                                                                                                   |
| Stance:              | Customer objects to the Planning Application                                                                                                                                                                |
| Reasons for comment: | <ul style="list-style-type: none"><li>- Design</li><li>- Highway Access and Parking</li><li>- Loss of General Amenity</li><li>- Other</li><li>- Overdevelopment</li><li>- Privacy Light and Noise</li></ul> |
| Comments:            | Response to Planning Application - Objection Regarding Timber Wall Heights only, on both sides of the bar terrace.                                                                                          |

I am Mrs Anita Nuttall, resident and a director of the limited company responsible for all Freeholder matters at 41 Marine Parade, Worthing BN11 3QA, also for the five other Residential Freeholders, and the current tenants residing at this address, we would like to formally submit an objection to the recent planning application submitted by Mr Moss (Soundcheck Bars), specifically in relation to the height of the recently constructed wooden walls.

#### Notice Not Served Properly

We would like to highlight that the planning notice has not reached the legal owners of the flats within 41 Marine Parade, nor was it communicated to the company responsible for the Freeholders. The majority of flats at Marine Parade are tenanted, and therefore this crucial information has not been able to reach the appropriate parties within a fair time frame. We are concerned that this limits the ability of residents and owners to fairly participate in the planning process.

Only received letter on the 5th July 2025

#### Nature of Our Objection

To be absolutely clear:

We do not object to the presence of a dividing fence per se, nor do we object to the idea of maintaining clear boundaries between properties. However, we strongly object to the height of the current fence structures (timber walls), which we believe exceeds both local planning policy and national guidelines, particularly given its location within a designated Conservation Area.

#### Key Grounds for Objection

##### 1/ Contrary to Conservation Area Guidance

No known prior permissions exist for front boundary fences or dividing structures exceeding 1 metre in height in this area. Allowing this structure to remain at its current height (2.4m to 3m) would set a highly undesirable precedent and negatively impact the Regency-style uniformity and open character of our block on Marine Parade.

##### 2/ Highway Safety Concerns

The fence in question faces a public footpath and highway. National guidance recommends a maximum height of 1 metre for any such boundary feature in order to ensure safe visibility for road users and pedestrians alike.

##### 3/ Design and Character

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The current fence is solid, modern, and 150mm thick, which is out of keeping with the traditional and open style of the Regency architecture. Its imposing scale and materials detract from the aesthetic cohesion of this Conservation Area.

#### 4/ Loss of Light and Airflow

The structure significantly reduces airflow and blocks natural morning sunlight from reaching our front communal garden and several flats. This is impacting both the enjoyment and health of our garden as well as the comfort of ground-floor tenants, who now experience prolonged periods of shade and lack of ventilation.

#### 5/ Lack of Consultation

Neither the original over-height structure erected in 2022, nor the newer fence forming part of this application, was consulted upon. No neighbouring property owners or residents were approached by Mr Moss prior to construction. Contrary to the statements made in the application, there has been no support or approval from adjacent properties.

#### 6/ Previous Planning Evasion

We note with concern that the existing high wooden fence was erected without permission and was not included in Mr Moss's initial application, suggesting a disregard for proper planning procedure.

#### Conclusion

We respectfully ask that the planning application be refused in its current form, specifically in regard to the height of the timber walls within the bar front garden terrace. A revised structure, more in keeping with existing policy (i.e., not exceeding 1 metre in height), would be acceptable and welcome.

We trust that Worthing Council will uphold the principles and protections afforded by the Conservation Area designation and not allow unsanctioned, character-damaging structures to remain by default.

We also ask that this matter be treated with urgency, as these unauthorised changes have already been in place for over 8 weeks and continue to negatively impact residents and the building's heritage character.

We are also happy to attend any future planning meeting regarding this matter in order to reach a satisfactory outcome.

Yours sincerely,

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Mrs Anita Nuttall, On behalf of the Residential Freeholders, and  
Tenants of 41 Marine Parade, Worthing BN11 3QA

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Kind regards