WORTHING BOROUGH COUNCIL

Mr Steven Lavender
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Coggeshall
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Essex
CO6 1SG

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0810/24

Details of Development
CONSTRUCTION OF NEW 2 BEDROOM DWELLING TO SOUTH ELEVATION OF EXISTING DWELLING WITH ASSOCIATED BIN AND CYCLE STORAGE. APPLICATION TO VARY CONDITION 6 (EXISTING HEDGE ON SOUTH BOUNDARY) OF APPROVED AWDM/2323/21 TO RE-WORD CONDITION TO ALLOW RETENTION DURING CONSTRUCTION THEN REPLACEMENT OF EXISTING HEDGE

Location of Development
DEVELOPMENT SITE CORNER OF BRENDON ROAD AND SOUTH OF 34 PENTLAND 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 21st June 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
23/07/2024

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
BLOCK, SITE & LOCATION PLANS & STREET ELEVATION	2.02 E	24.12.2021
PROPOSED PLANS & ELEVATIONS	2.01 B	24.12.2021

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 21 February 2022.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. Development shall not progress beyond foundation stage unless and until a schedule and samples of materials and finishes to be used for the external walls and roof of the proposed dwelling, and the surfacing materials to be used for the external areas, has been submitted to and approved in writing by the Local Planning Authority and 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. The secure, covered cycle parking shown on the plans shall be provided prior to commencement of use of the dwelling hereby approved and shall thereafter be retained permanently for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and having regard to policy DM15 of the Worthing Local Plan.*

05. The boundary walls and fences as detailed on the approved plans shall be erected/constructed prior to first occupation of the dwelling hereby permitted.

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

06. The existing hedge on the south site boundary shown on the approved plan shall be retained throughout the construction phase of the development and then removed. Not later than the first planting season following first occupation of the proposed new dwelling, replacement hedge planting shall be carried out in the same position as the previously retained hedge in accordance with a planting schedule (detailing the species, height and number of plants) which has been previously submitted to and agreed in writing by the Local Planning Authority. If any of the new hedging plants die within 5 years of completion of the development, are removed, or become seriously damaged or diseased, they shall be replaced in the next planting season with others of a similar size and species.

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

07. 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), the proposed dwelling shall not be extended or enlarged or any incidental building over 5 cubic metres in volume erected within its curtilage.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and policy DM5 of the Worthing Local Plan.*

08. 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 walls, fences or other means of enclosure other than as shown on the approved plans shall be erected forward of the front (east) elevation of the proposed dwelling.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and 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 08.00 and 18.00 on Monday to Friday and between 09.00 and 13.00hrs 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. Southern Water has provided a plan of the water main records showing the approximate position of a public water distribution main in the immediate vicinity of the site. Southern Water advises that the exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised, and:-

- The 4 inches diameter water main requires a clearance of 6 metres on either side of the water main to protect it from construction work and to allow for future maintenance access;
- No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.
- No new soakaways should be located within 5 metres of a public water main.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

The applicant is advised to discuss the matter further with Southern Water, Southern House, Yeoman Road, Worthing, West |Sussex, BN13 3NX (Tel: 0330 303 0119). Website southernwater.co.uk or email DeveloperServices@southernwater.co.uk

03. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and Numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk

04. 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.

05. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

06. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

07. The proposed development lies within a Source Protection Zone. Southern Water advises the applicant to consult with the Environment Agency to ensure the protection of the public water supply is maintained and inform Southern Water of the outcome of this consultation. For further advice contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

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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://acp.planninginspectorate.gov.uk.

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).