WORTHING BOROUGH COUNCIL

Mr Joe Jackson
Lizard Landscape Design Limited
Lizard Landscape Design and Ecology
34 South Street
Tarring
Worthing
West Sussex
BN14 7LH

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0329/24

Details of Development
DETACHED 4 BEDROOM DWELLING HOUSE WITH NEW ACCESS, PARKING SPACE, BICYCLE STORE AND BIN AREA. VARIATION OF CONDITION NUMBER 4 OF PREVIOUSLY ALLOWED APPEAL AWDM/1790/21: REMOVAL OF TREE T03 LABURNUM AND PLANTING WITH REPLACEMENT TREE

Location of Development
2 LANSDOWNE ROAD WORTHING WEST SUSSEX BN11 4LY

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 11th March 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
23/05/2024

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

Conditions

02. 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
LANDSCAPE PLAN	1322-10 REV C	20.05.2024
TREE CONSTRAINTS PLAN	ARB-DWG-001 REV 02	20.05.2024
TREE RETENTION AND PROTECTION PLAN	ARB-DWG-002 REV 03	20.05.2024
TREE WORKS APPLICATION	ARB-REP-002 REV 02	20.05.2024
ARBORICULTURAL IMPACT ASSESSMENT & METHOD STATEMENT	ARB-REP-001 REV 03	20.05.2024
EXISTING TREE SCHEDULE & SCHEDULE OF TREE WORKS	ARB-SCH-001 REV 04	20.05.2024

And the following drawings allowed on appeal under AWDM/1790/21:

BLOCK PLAN	1272/02 REV B	09.12.2021
LOCATION PLAN	1272/01	29.09.2021
GROUND & FIRST FLOOR PLANS	1272/04 REV A	09.12.2021
SECOND FLOOR PLAN & ROOF PLAN	1272/05 REV A	09.12.2021
SOUTH & EAST ELEVATIONS	1272/06 REV A	09.12.2021
NORTH & WEST ELEVATIONS	1272/07 REV A	09.12.2021

Reason: *For the avoidance of doubt and in the interests of proper planning.*

03. Unless otherwise approved in writing by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the agreed materials and finishes to be used for the external walls (including windows, rooflights and doors) and roof of the proposed building approved under AWDM/0075/24.

Reason: *To ensure a satisfactory character and appearance of the development in accordance with policies DM5 and DM24 of the adopted Worthing Local Plan.*

04. The development hereby permitted shall be undertaken in strict accordance with the Arboricultural Impact Assessment and Method Statement by Lizard Landscape Design and Ecology (reference LLD2402-ARB-REP-001-03-AIA dated May 2024) together with LLD2402- ARB-DWG-001 Rev 02 - Tree Constraints Plan, LLD2402-ARB-SCH-001-04-DTS - Existing Tree Schedule, LLD2402-ARB-DWG-002 Rev 03 - Tree Retention and Protection Plan and LLD2402-ARB-REP-002-02-TWR - Tree Works Application.

Reason: *To ensure a satisfactory character and appearance of the development in accordance with policies DM5 and DM24 of the adopted Worthing Local Plan.*

05. The development hereby permitted shall not be first occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping. The soft landscaping scheme shall include planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme. Hard landscaping scheme shall include hard surfacing materials, all boundary treatments including the details of the retained or reconstructed wall to Lansdowne Road, finished levels and location and details of biodiversity measures. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within the first planting and seeding seasons following the first occupation of the building. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping shall be provided prior to the first occupation of the development hereby permitted.

Reason: *To mitigate for the removal of existing trees and to ensure a satisfactory character and appearance of the development in accordance with policies DM5 and DM19 of the adopted Worthing Local Plan.*

06. The proposed first floor windows in the rear elevation of the development hereby permitted serving en-suite bathrooms shall be glazed with obscure glass and fixed shut to a height of 1.7 metres above the finished floor level of the room in which the window is installed and thereafter so retained.

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

07. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no additional window or any other opening shall be inserted into any side wall of the dwelling hereby permitted (other than as hereby approved).

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

08. The development hereby permitted shall not be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be first submitted to and approved by the Local Planning Authority.

Reason: *To provide for a sustainable non-car mode of transport in accordance with policy DM15 of the adopted Worthing Local Plan.*

09. The development hereby permitted shall not be first occupied until such time as the vehicular access has been constructed in accordance with the approved landscape plan 1322 10 REV C.

Reason: *In the interests of amenity and highway safety and having regard to policy DM15 of the adopted Worthing Local Plan.*

10. The development hereby permitted shall not be first occupied until facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with plans and details to be first submitted to and approved by the Local Planning Authority. Such facilities as provided shall thereafter be retained and used only for the storage of refuse and re-cycling waste.

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

11. The development hereby permitted shall not be first occupied until the car parking has been constructed in accordance with the approved Landscape Plan 1322 10 REV C. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *In the interests of amenity and highway safety and having regard to policy DM15 of the adopted Worthing Local Plan.*

12. The development hereby permitted shall not be first occupied until an electric vehicle charging space has been provided in accordance with plans and details to be first submitted to and approved by the Local Planning Authority.

Reason: *In the interests of promoting sustainable modes of transport having regard to policy DM15 of the adopted Worthing Local Plan.*

13. 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 08.00 and 13.00 hrs on Saturday. No works 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 policy DM22 of the adopted Worthing Local Plan.*

14. The development hereby permitted shall not be first occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non- statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. The drainage system shall be implemented in accordance with the approved details, prior to first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details.

Reason: *To ensure the development is satisfactorily drained in accordance with policy DM20 of the adopted 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.

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 advised that in addition to obtaining planning permission they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

    https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

    Online applications can be made at the link below, alternatively please call 01243 642105.

    https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

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. 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. For further advice the applicant is advised to contact Southern Water, 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).