WORTHING BOROUGH COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0090/25

Details of Development
APPLICATION TO VARY CONDITIONS 1 (APPROVED PLANS), 5 (CAR PARKING) AND 12 (HARD AND SOFT LANDSCAPING) OF APPROVED APPLICATION AWDM/0601/21 FOR AMENDED CAR PARKING LAYOUT & HARD & SOFT LANDSCAPING. [AWDM/0601/21 CONVERSION AND ALTERATION OF EXISTING CARE HOME TO CREATE 8NO RESIDENTIAL UNITS (INCLUDING ALTERATIONS TO ORIGINAL COACH HOUSE CREATE A DETACHED TWO STOREY 3NO. BEDROOM DWELLING) WITH PROVISION OF 7NO CAR PARKING SPACES.]

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 PERMIT the above development, in accordance with the application and relevant correspondence registered on 4th February 2025.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Head of Planning & Development
16/07/2025

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
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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
PROPOSED GROUND FLOOR PLAN	GLA01 Rev A	04.02.2025

And the following plans approved under AWDM/0601/21:

HERITAGE STATEMENT April 2021 Date Rec 12.04.2021
EXISTING LOCATION & BLOCK PLAN Drg 01 Date Rec 12.04.2021
EXISTING SITE PLAN Drg 02 Date Rec 12.04.2021
EXISTING GROUND FLOOR PLAN Drg 03 Date Rec 12.04.2021
EXISTING FIRST FLOOR PLAN Drg 04 Date Rec 12.04.2021
EXISTING SECOND FLOOR PLAN Drg 05 Date Rec 12.04.2021
EXISTING ROOF PLAN Drg 06 Date Rec 12.04.2021
EXTG WEST & SOUTH FACING ELEVATIONS (01 & 03) Drg 07 Date Rec 12.04.2021
EXTG NORTH & EAST FACING ELEVATIONS (02 & 04) Drg 08 Date Rec 12.04.2021
EXTG SOUTH & NORTH FACING SECTIONS, WEST & EAST FACING ELEVATIONS (08, 07 & 06, 05) Drg 09 Date Rec 12.04.2021
PROPOSED LOCATION & BLOCK PLAN Drg 10C Date Rec 06.07.2021
PROPOSED GROUND FLOOR PLAN Drg 12C Date Rec 06.07.2021
PROPOSED FIRST FLOOR PLAN Drg 13C Date Rec 06.07.2021
PROPOSED SECOND FLOOR PLAN Drg 14C Date Rec 06.07.2021
PROPOSED ROOF PLAN Drg 15C Date Rec 06.07.2021
PROPOSED WEST & SOUTH FACING ELEVATIONS Drg 16B Date Rec 06.07.2021
PROPOSED NORTH & EAST FACING ELEVATIONS Drg 17B Date Rec 06.07.2021
PROPOSED SOUTH & NORTH Drg 18B Date Rec 06.07.2021
PROPOSED EAST & WEST FACING ELEVATIONS Drg 19B Date Rec 06.07.2021

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

03. The external walls and roofs (including bonnet hip tiles) of the altered and enlarged coach house building shall be completed in accordance with the schedule and samples approved under AWDM/2104/21.

Reason: *In the interests of visual amenity and to safeguard the historic character of the conservation area in accordance with policy DM5 of the Worthing Local Plan.*

04. The detailed design, proportions, frame thickness and profiles of all new and replacement windows (including window heads, cills and the reveal or set-back from the external wall face), doors, porch, dark stained weatherboard panel, fascia/bargeboard details, and blind windows of the 'coach house' dwelling shall be carried out in accordance with the details approved under AWDM/2104/21.

Reason: *To safeguard the historic character of the area in accordance with policies DM5 and DM24 of the Worthing Local Plan.*

05. Within 3 months of the date of this decision the agreed car parking layout shall be implemented and the areas of land so provided shall not thereafter be used for any purpose other than parking of vehicles incidental to the use of the proposed dwellings.

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

07. Within 3 months of the date of the decision the cycle parking provision shown on the approved plan shall be provided in accordance with the design and construction details approved under AWDM/2104/21.

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.*

09. Unless otherwise agreed in writing by the Local Planning Authority the site set-up and construction management arrangements approved under AWDM/2104/21 (including details for temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles, loading and unloading of vehicles, and dust suppression scheme) shall be adhered to throughout construction works on the site.

Reason: *In the interests of highway safety and amenity.*

10. 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 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 policy DM5 of the Worthing Local Plan.*

11. The development shall be carried out and completed in accordance with the surface water drainage details approved under AWDM/2104/21.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy DM20 of the Worthing Local Plan.*

12. The areas of grassed landscaping/planting (not artificial grass) and the 7no new Prunus trees shown on the approved site plan shall be planted in the first planting season following the grant of this permission. The new trees shall have a girth size not less than 12/14cm at the time of planting. 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.

Reason: *In the interests of visual amenity and the environment and to comply with policies DM5 and DM19 of the Worthing Local Plan.*

13. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E 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 'coach house' dwelling shall not be externally altered or enlarged or any incidental building over 5 cubic metres in volume erected within its curtilage.

    Notwithstanding the provisions of Schedule 2, Part 2, Class A 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 gate, wall or other means of enclosure shall be erected within the site grounds unless otherwise approved under this permission.

    Reason: *In the interests of residential amenity and to safeguard the character and appearance of the conservation area in accordance with policies DM5 and DM24 of the Worthing Local Plan.*

14. The first-floor windows in the south and west elevations of the coach house dwelling hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and shall not subsequently be altered in any way.

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

15. The works of making good approved under AWDM/2104/21 to the flank wall on the party boundary of the garage building at 138 Heene Road shall be carried out and implemented prior to first occupation of the dwellings hereby permitted.

    Reason: *In the interests of visual amenity and to safeguard the character and appearance of the conservation area in accordance with policies DM5 and DM24 of the Worthing Local Plan.*

16. The communal facilities approved under AWDM/2104/21 for storing refuse/recycling shall be retained on the site at all times and used only for the storage of refuse and re-cycling waste in connection with the development.

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

17. The 'coach house' dwelling shall not be occupied until the fence to the rear garden area has been erected as approved under AWDM/2104/21 and shall thereafter be retained.

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

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Worthing Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

STATUTORY EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS IN RESPECT OF THE BIODIVERSITY GAIN CONDITION.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Ref: AWDM/0090/25

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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).