WORTHING BOROUGH COUNCIL

Mr Steve Leggett
AbraCADabra
33 Hillview Road
Findon Valley
Worthing
BN140BX
United Kingdom

PLANNING REFUSAL

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

APPLICATION NUMBER: AWDM/1008/25

Details of Development
CHALET STYLE DETACHED BUNGALOW WITH ROOMS IN ROOF.

Location of Development
173A FINDON ROAD WORTHING WEST SUSSEX BN14 0BQ

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 4th August 2025.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
16/10/2025

SCHEDULE

Reasons for Refusal

01. The proposed development would, by reason of its siting, scale, form and detailed design, represent a cramped and incongruous overdevelopment of the site, relating poorly to the character and layout of the surrounding pattern of development, and appear as a visually discordant form of development that would be harmful to the visual amenities of the site and surrounding area. As such the proposed development would be contrary to policy DM5 of the Worthing Local Plan, SPD A Guide to Residential Development, and the relevant paragraphs of the NPPF.

02. Having regard to the relationship with neighbouring dwellings, the proposals would represent an overbearing and unneighbourly form of development, detrimental to the amenities of neighbouring occupiers notably in terms of sense of enclosure and privacy. As such the proposed development would be contrary to policies DM2 and DM5 of the Worthing Local Plan and the relevant paragraphs of the NPPF.

03. The proposed amenity space, by reason of siting and layout, would fail to provide good quality useable private external space for the occupiers of the dwelling thereby resulting in a poor standard of accommodation contrary to policy DM2 of the Worthing Local Plan.

04. The submitted flood risk assessment, by reason of inadequate assessment of alternative sites as part of a sequential test or adequate site-specific flood risk assessment to demonstrate clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, is not considered to adequately address issues related to flooding and is therefore contrary to policy DM20 of the Worthing Local Plan and the relevant paragraphs of the NPPF.

05. On the basis of the limited information available, the Local Planning Authority is not satisfied that the proposed car parking area can be served by a suitable vehicular access without causing hazards to highway users. As such the proposed development would be contrary to policies DM5 and DM15 of the Worthing Local Plan.

06. In the absence of a Section 106 obligation to secure the proposed development as a self-build scheme, the Local Planning Authority cannot be satisfied that it will be exempt from achieving 10% biodiversity net gain and as such would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as amended) and policy DM18 of the Worthing Local Plan.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-

Reference/Drawing Number	Version	Date Rec
GROUND FLOOR PLAN EXISITING	23070 102 REV A	04.08.2025
FOUNDATION PLAN PROPOSED	23070 103 REV A	04.08.2025
GROUND FOOR PLAN PROPOSED	23070 104 REV A	04.08.2025
FIRST FOOR PLAN PROPOSED	23070 105 REV A	04.08.2025
ROOF PLAN PROPOSED	23070 106 REV A	04.08.2025
SECTIONS	23070 107 REV A	04.08.2025
FRONT NORTH ELEVATION	23070 108 REV A	04.08.2025
REAR SOUTH ELEVATION	23070 109 REV A	04.08.2025
SIDE EAST ELEVATION	23070 110 REV A	04.08.2025
SIDE WEST ELEVATION	23070 111 REV A	04.08.2025
DESIGN & ACCESS STATEMENT		04.08.2025
FRA		04.08.2025

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals can be made online at: https://www.gov.uk/appeal-planning-decision If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

7. 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.

8. 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.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. 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 in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).