WORTHING BOROUGH COUNCIL

Mr Wayne Gander
Wayne Gander MCIAT
98 Durrington Lane
Worthing
BN13 2RQ

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0508/23

Details of Development
PROPOSED CHANGE OF USE TO CONVERT THE GROUND FLOOR FROM A GIFT SHOP INTO A CAFE AND THE FIRST FLOOR FROM OFFICES TO A TWO BEDROOM FLAT AND TO TURN 64B CHAPEL ROAD FROM A COFFEE SHOP INTO OFFICE SPACE.

Location of Development
64A CHAPEL ROAD WORTHING WEST SUSSEX BN11 1BN

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 6th April 2023.

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
06/06/2023

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

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 GF PLAN	Floor plan 03/01A	06.04.2023
EXISTING GF PLAN	Floor plan 03A	06.04.2023
BLOCK PLAN	Site Plan A	09.05.2023
LOCATION PLAN		06.04.2023
EXISTING FLOOR PLANS	WT/CR/01	06.04.2023
PROPOSED FLOOR PLANS	WT/CR/02	06.04.2023

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 the date of this permission.

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

03. The ground-floor café hereby permitted shall not be open to customers except between the hours of: 0800 to 1800 (Monday to Saturday) and between 1000 to 1600 hrs on, Sundays and Bank/Public Holidays.

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

04. No primary cooking of food shall be undertaken on the ground-floor café premises at any time with any food servery limited to warming or re-heating of pre-cooked food only using a microwave, toaster, pannini grill, soup kettle, electric induction hob or electric oven.

Reason: *To safeguard the amenities of the occupiers of nearby residential properties owing to the absence of any means of ventilation for the extraction and disposal of cooking odours from the premises, having regard to policy DM5 of the Worthing Local Plan.*

05. The sound insulation of the floor/ceiling between the ground café and proposed first floor residential dwelling shall achieve a minimum airborne sound insulation value

of 50dB (DnTw + Ctr dB). Before the residential unit is occupied a test shall be undertaken to demonstrate compliance with this level.

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

06. The office use hereby permitted shall be ancillary to the primary use of the building(s) as a church within Class F1 of the Town & Country Planning Use Classes Order 1987 (As Amended).

Reason: *To safeguard the use as a community facility in accordance with policy DM8 of the Worthing Local Plan.*

07. No work for the implementation of the development hereby permitted shall be undertaken on the site including the use of plant and machinery except between the hours of:
Monday - Friday 08:00 - 18:00 Hours
Saturday - 09:00 - 13:00 Hours
Sundays and Public/Bank Holidays no work permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM8 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. 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

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

Ref: AWDM/0508/23

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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://www.gov.uk/appeal-planning-decision.

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 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).