WORTHING BOROUGH COUNCIL

Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0995/24

Details of Development
REDEVELOPMENT INCLUDING CONVERSION AND ALTERATIONS, EXTENSIONS AT SECOND FLOOR AND PARTIAL DEMOLITION AT THIRD FLOOR OF THE EXISTING BUILDING TO RETAIN COMMERCIAL (USE CLASS E) AT GROUND FLOOR AND ACCOMMODATE 7NO. RESIDENTIAL FLATS ACROSS FIRST AND SECOND FLOORS.

Location of Development
48 SOUTH STREET 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 13th August 2024.

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
14/07/2025

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
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
SURFACE WATER FLOOD RISK REVIEW		16.04.2025
FLAT 1 (MoE)	AP/48/23/020	25.05.2025
FLAT 2 (MoE)	AP/48/23/021	25.05.2025
FLAT 3 (MoE)	AP/48/23/022	25.05.2025
FLAT 4 (MoE)	AP/48/23/023	25.05.2025
FLAT 5 (MoE)	AP/48/23/024	25.05.2025
FLAT 6 (MoE)	AP/48/23/025	25.05.2025
FLAT 7 (MoE)	AP/48/23/026	25.05.2025
PROPOSED FLOOR PLANS	AP/48/23/008G	25.05.2025
PROPOSED ELEVATIONS	AP/48/23/009G	25.05.2025
PROPOSED SECTIONS A	AP/48/23/010E	25.05.2025
PROPOSED SECTION B	AP/48/23/011G	25.05.2025
PROPOSED STREET SCENE	AP/48/23/012H	25.05.2025
PROPOSED PROSPECTIVE VIEWS	AP/48/23/013H	25.05.2025
PROPOSED SITE & LOCATION PLAN	AP/48/23/014F	25.05.2025
PROPOSED GIA	AP/48/23/015H	25.05.2025
PROPOSED FLAT SQUARE METERAGE	AP/48/23/016G	25.05.2025
ADDITIONAL 3D VIEWS	AP/48/23/017E	25.05.2025
PROPOSED ROOF PLAN	AP/48/23/018E	25.05.2025
PROPOSED ELEVATIONS	AP/48/23/009G	20.11.2024
REBUTTAL RESPONSE TO WSP		11.09.2024

Reference/Drawing Number	Version	Date Rec
DESKTOP NOISE IMPACT ASSESSMENT	J3927	29.10.2024
PLANNING, HERITAGE, DESIGN & SUSTAINABILITY STATEMENT	P2030i	13.08.2024
FRA	REV A	13.08.2024
REBUTTAL STATEMENT		13.08.2024
EXISTING GROUND & FIRST FLOOR PLANS	AP/48/23/001A	13.08.2024
EXISTING ELEVATIONS	AP/48/23/002A	13.08.2024
EXISTING SECTIONS	AP/48/23/003	13.08.2024
EXISTING STREET SCENE	AP/48/23/004	13.08.2024
EXISTING PROSPECTIVE VIEWS	AP/48/23/005	13.08.2024
EXISTING SITE & LOCATION PLAN	AP/48/23/006	13.08.2024
EXISTING GIA	AP/48/23/007A	13.08.2024

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. Prior to commencement, specification of all materials, colours and external finishes and drawing(s) and section(s) including the detailed design and profile(s) of all new and replacement windows and external doors shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the agreed details and retained as such thereafter.

Reason: *To safeguard the character of the area having regard to policies DM5 and DM24 of the Worthing Local Plan 2023.*

04. The windows as annotated on the plans as obscure-glazed (level 3 or higher) and restricted opening shall be implemented in full prior to first occupation of the relevant flats and retained as such thereafter.

Reason: *To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan 2023.*

05. Construction work shall not commence until details of a final noise mitigation scheme for protecting the proposed noise sensitive development from internal and external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the

noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and ventilation strategy, should windows need to be kept closed to meet the internal noise standards.

Reason: *To safeguard the amenities of residential occupiers and to comply with policies DM5 and DM22 of the Worthing Local Plan 2023.*

06. No work for the implementation of the development hereby permitted shall take place except between the hours of 08.00 and 18.00 on Monday to Friday and between the hours of 08.00 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 nearby properties having regard to policy DM5 of the Worthing Local Plan 2023.*

07. No development shall take place, including any works of demolition, until a Construction Method Statement and Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and Plan and shall be adhered to throughout the construction period. The Statement and Plan shall provide for:-

(i) the method of access and routing of vehicles during construction
(ii) parking of vehicles of site operatives and visitors;
(iii) loading and unloading of plant and materials;
(iv) storage of plant and materials used in constructing the development;
(v) the erection and maintenance of security hoarding;
(vi) wheel-washing facilities;
(vii) measures to control the emission of dust and dirt during construction.

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

08. The flats shall not be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the approved plans. The bins and storage areas shall thereafter be retained for the lifetime of the development.

Reason: *In the interests of amenity.*

09. Prior to the commencement of above-ground works (excluding demolition, site clearance, and below-ground works), detailed drawings and specifications at a scale of 1:20 (or other agreed scale) of the proposed glazing and any associated vertical louvre systems on the southern elevation of Flats 2, 3, 5 and 6 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

Materials, finishes, and colours;

Depth of reveal and framing system;

Form, orientation, and dimensions of vertical louvres; and

The approved details shall be implemented in full prior to first occupation of the relevant flats and retained as such thereafter

Reason: *To safeguard the amenities of residential occupiers and to comply with policy DM5 of the Worthing Local Plan.*

10. Prior to commencement, details of all sustainability measures shall be submitted to the Local Planning Authority and approved in writing. These should include plans and sections to demonstrate that the photovoltaic panels are hidden from view as much as possible. The agreed sustainability measures shall be implemented prior to first occupation and retained for the lifetime of the development.

Reason: *To comply with policies DM5, DM16, DM17 and DM24 of the Worthing Local Plan 2023.*

11. No part of the development shall be first occupied until covered and secure cycle parking as shown on the approved plans has been provided. The cycle parking shall thereafter be retained for the lifetime of the development.

Reason: *In the interests of sustainable transport methods in accordance with policy DM15 of the Worthing Local Plan 2023.*

12. The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before any residential unit is occupied a test shall be undertaken to demonstrate compliance with this level with the results submitted to the Local Planning Authority and approved in writing. The development shall thereafter be retained as such for the lifetime of the development.

Reason: *To safeguard the amenities of residential occupiers and to comply with 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. 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

03. 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.

04. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

05. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner. Further information can be found at:

    https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

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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).