WORTHING BOROUGH COUNCIL

Mr Paul Weeks
Hampshire Homes Group
8-9 Chatmohr estate
Crawley Hill
Romsey
Hampshire
SO51 6AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1054/23

Details of Development
TEMPORARY CHANGE OF USE FROM VICARAGE GARDENS TO CONSTRUCTION SITE COMPOUND TO SUPPORT THE REDEVELOPMENT SITE AT 22 CLIFTON ROAD (AWDM/0072/21).

Location of Development
LAND WEST OF 21 VICTORIA 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 27th July 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
14/09/2023

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
LOCATION PLAN	PL-101 A	27.07.2023
SITE LAYOUT	Rev A	27.07.2023
CONSTRUCTION PHASE PLAN	By HH	06.09.2023

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

02. The temporary use of the site hereby approved and the temporary buildings, equipment, materials, temporary fencing and works hereby permitted shall be removed and the land restored to its former condition, according to a schedule of reinstatement works, (which shall first be agreed in writing by the Local Planning Authority within 4 months of the date of this permission), on or before the expiration of the period ending on 31st March 2025.

The schedule of reinstatement works shall include, among other things the following:

i) Reinstatement of the damaged section of boundary flint wall, including materials and methods,
ii) Removal of temporary site surfacing, and reinstatement of top soil and undertaking of new planting, including details of seeding, tree and shrub planting and aftercare to ensure establishment of planting

Reason: *Permission would not normally be granted for such development and is only permitted exceptionally to enable to redevelopment of no.22 Clifton Road and to safeguard neighbouring amenities and the setting of the listed buildings (No. 21 Victoria Road and St Andrews Church, including associated boundary walls), in accordance with polices DM5, DM18, DM19, DM22, DM23 and DM24 of the Worthing Borough Local Plan, 2020 - 2036.*

03. The temporary use hereby approved shall be carried out in accordance with the Construction Phase Plan by HH, which was received by the Local Planning Authority on 6th September 2023, with particular regard to measures to minimise noise, dust, lighting or other impacts upon neighbours and keeping neighbours informed of works and the management of deliveries and temporary fencing to minimise risk of damage to the existing boundary walls.

Reason: *To minimise risk of pollution, nuisance and damage and to safeguard neighbouring amenities and the setting of the listed buildings (No. 21 Victoria Rod*

and St Andrews Church, including associated boundary walls), in accordance with polices DM5, DM22, DM23 and DM24 of the Worthing Borough Local Plan, 2020 - 2036.

04. The temporary use of the site hereby approved shall not be used other than between the hours of:

Monday - Friday 08:00 -17:00
Hours Saturday 09:00 -13:00 Hours.

On Sundays and Bank Holidays no use permitted.

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

Reason: *To safeguard the residential amenity of the area.*

05. Any trees or plants which are planted as part of the site re-instatement works at condition 2(ii) above, which within a period of 5 years from planting 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, biodiversity and the setting of listed buildings and to comply with policies DM18, DM19, DM23 and DM24 of the Worthing Local Plan 2020 - 2036.*

Informatives / Notes to Applicant

01. Pollution and Nuisance

The applicant should ensure that noise and fumes from any plant or equipment is minimised by locating the use of these away from neighbouring residential boundaries where possible and ensuring that engines and motors are not left idling but are switched off when not in use. The location of any generator if required, and measures to minimise noise and disturbance, should first be discussed and agreed with the Council's Environmental Health Team (Contact: 01273 263343).

02. 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.

Ref: AWDM/1054/23

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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).