WORTHING BOROUGH COUNCIL

Mr David McLaughlin
Cay College CIC
23 Regis Court
West Parade
Worthing
West Sussex

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3, Class T

APPLICATION NUMBER: NOTICE/0012/23

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE TO A COLLEGE FOR SEND YOUNG ADULTS AGED 16 TO 25

Location of Development
AZTEX HOUSE IVY ARCH ROAD WORTHING WEST SUSSEX BN14 8BX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify that PRIOR APPROVAL IS REQUIRED for the above development from the Local Planning Authority and hereby GRANTED, in accordance with the application and information registered on 19th July 2023.

This is subject to compliance with the conditions specified overleaf.

G Peck

Gary Peck
Planning Services Manager
19/10/2023

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
SUPPORTING STATEMENT		18.10.2023
CURRENT FLOOR PLANS		07.09.2023
PROPOSED FLOOR PLANS		07.09.2023
LOCATION PLAN		19.07.2023
LOCATION PLAN (2)		19.07.2023

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

02. Prior to first occupation provision shall be made on the site for the storage of refuse and recycling bins and such facilities as provided shall thereafter be permanently retained.

Reason: *In the interests of amenity and to prevent the inappropriate storage of bins on the public highway having regard to policy DM5 of the Worthing Local Plan.*

03. Details of secure, covered cycle parking to serve the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be first occupied until such provision as has been agreed has been provided on the site. Such provision shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework.*

04. The college for SEND young adults aged 16 to 25 shall only be in use between the hours of 0800 and 1800 weekdays and not at all on Saturdays and Sundays.

Reason: *To safeguard the amenities of neighbouring residential occupiers and to comply with policies DM5 and DM22 of the Worthing Local Plan 2020-2036.*

Informatives / Notes to Applicant

01. Precautionary land contamination

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

02. The applicant is advised that a separate planning application is required for any external alterations, including the construction of any external buildings and fencing.

03. The applicant is advised that work for the implementation of the development should not take place on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays and between 09.00 and 13.00 hours on Saturdays. No work should take place on Sundays or on Bank or Public holidays.

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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, and you want to appeal, then you must do so within 12 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).