WORTHING BOROUGH COUNCIL

Stickland Wright
23 Vine Street
Brighton
BN1 4AG

PLANNING PERMISSION

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

APPLICATION NUMBER: NOTICE/0011/23

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE FROM CLASS E AT FIRST AND SECOND FLOORS TO 9 NO. RESIDENTIAL UNITS (CLASS C3).

Location of Development
148 - 152 MONTAGUE STREET WORTHING WEST SUSSEX BN11 3HH

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 10th July 2023.

This is subject to compliance with the conditions specified overleaf.

G Peck

Gary Peck
Planning Services Manager
21/09/2023

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
NOISE ASSESSMENT	J3616 ISSUE 1	10.07.2023
FLOOD RISK ASSESSMENT		10.07.2023
LOCATION & BLOCK PLAN	23007A-P-001B	10.07.2023
EXISTING PLANS	23007A-P-010B	10.07.2023
PROPOSED PLANS	23007A-P-100D	10.07.2023
PROPOSED ROOF PLAN	23007A-P-101-A	18.09.2023
EXISTING ELEVATONS WITH MVHR VENTS	23007A-P-011-C	18.09.2023

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

02. Works to implement the development shall not commence until precise details of the proposed secure, covered cycle storage provision to serve the development has been submitted to and approved in writing by the Local Planning Authority. Such provision as has been agreed shall be implemented prior to first occupation of any dwelling and 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 and policy DM15 of the Worthing Local Plan.*

03. Works to implement the development shall not commence until precise details of the proposed provision on the site for storage of refuse/re-cycling bins to serve the development has been submitted to and approved in writing by the Local Planning Authority. Such provision as has been agreed shall be implemented prior to first occupation of any dwelling and shall thereafter be retained permanently on the site solely for such purposes.

Reason: *To avoid undue congestion of the site and consequent obstruction to access.*

04. Works for implementing the development shall not commence until precise details of the proposed sound reduction and ventilation measures based on the mitigation strategy detailed in the submitted Noise Assessment by Acoustic SE J3616 Issue 1 necessary to protect the proposed noise sensitive development from internal and

external commercial noise and to prevent overheating have been submitted to and approved in writing by the local planning authority. The scheme shall achieve the sound reduction levels specified in the submitted Assessment and shall include full details of proposed double glazing specification, details of the noise insulation scheme between the ground-floor ceiling/first-floor including any necessary treatment of the internal flanking walls, and design details of the proposed MVHR system (including the position of all duct locations). The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval of the scheme and prior to first occupation of any dwelling unit, a test shall be undertaken and the results submitted to the local planning authority to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

Reason: *To protect future occupiers from noise disturbance in accordance with The National Planning Policy Framework and Worthing Local Plan Policy DM22 and the Planning Noise Advice Document Sussex.*

05. The development shall be carried out in accordance with the submitted Flood Risk Assessment ('FRA') (undated) and the following mitigation measures it details:

    (i) All sleeping accommodation must be located on the first floor or above (7.71 mAOD or above).

    These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

    Reason: *To reduce the risk of flooding to the proposed development and future occupants in line with Policy DM20 of the Worthing Local Plan, and the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.*

06. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

    Reason: *To avoid undue congestion of the site and consequent obstruction to access.*

Informatives / Notes to Applicant

01. Temporary Works Required During Construction
The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

02. It is recommended that the following hours of construction work are adhered to throughout the construction period:-
Monday to Friday - 08:00-18:00 Hours
Saturday - 09:00-13:00 Hours
Sundays, Bank and Public Holidays - No work permitted

03. A formal application to Southern Water for connection to the public foul sewer and public water main is required in order to service this development.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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

04. 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

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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).