WORTHING BOROUGH COUNCIL

Mr Clive Hawkins
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United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1073/23

Details of Development

CONVERSION OF PUBLIC HOUSE TO PROVIDE 3NO. 2-BEDROOM FLATS, 1NO. 1-BEDROOM FLAT, 1NO. 4-BEDROOM FLAT AND PROPOSED SINGLE STOREY 1NO.1-BEDROOM DWELLING AND 1NO. 4-BEDROOM DWELLING (7NO. DWELLINGS IN TOTAL); WITH ASSOCIATED ELEVATION ALTERATIONS AND GROUND AND FIRST-FLOOR EXTENSIONS; 3NO. PARKING SPACES FOR DWELLINGS UTILISING EXISTING VEHICULAR ACCESSES FROM NORTHCOURT ROAD AND KING STREET. VARATION OF CONDITION 1 APPROVED PLANS OF AWDM/1950/19 FOR ALTERATIONS TO THE LAYOUT OF DWELLINGS A AND B INVOLVING RAISED RIDGE TO REAR EXTENSION AND INSERTION OF FIRST-FLOOR WINDOW TO NORTH ELEVATION (AMENDED PLANS).

Location of Development

SOUTHDOWN INN 38 NORTHCOURT ROAD WORTHING WEST SUSSEX BN14 7DS

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 3rd August 2023.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Gary Peck
Planning Services Manager
21/11/2023

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
ELEVATIONS & SECTION	Drg 04 c	26.10.2023
GROUND, 1ST & 2ND FLOOR	Drg 05 b	26.10.2023
ROOF PLAN PROPOSED	Drg 08 a	26.10.2023
PREVIOUSLY APPROVED AWDM/0066/23		
SITE LOCATION PLAN	Drg 00P 002 Rev A	20.01.2023
PROPOSED NORTH ELEVATION (Decorative verge detail only)	Drg 00P 116 Rev C	24.04.2020
PROPOSED BLOCK PLAN	Drg 00P 105 Rev E	24.04.2020
EXISTING FIRST FLOOR PLAN	Drg 00P 011 Rev B	14.04.2020
EXISTING GROUND FLOOR PLAN	Drg 00P 010 Rev C	14.04.2020
EXISTING BASEMENT PLAN	Drg 00P 009 Rev B	14.04.2020
EXISTING BLOCK PLAN	Drg 00P 005 Rev C	14.04.2020
EXISTING SECOND FLOOR PLAN	Drg 00P 012 Rev B	14.04.2020
EXISTING STREETSCENES	Drg 00P 006 Rev B	14.04.2020
EXISTING ROOF PLAN	Drg 00P 013 Rev B	14.04.2020
EXISTING EAST ELEVATION	Drg 00P 015 Rev B	14.04.2020
EXISTING SOUTH ELEVATION	Drg 00P 014 Rev B	14.04.2020
EXISTING NORTH ELEVATION	Drg 00P 016 Rev B	14.04.2020
EXISTING WEST ELEVATION	Drg 00P 017 Rev B	14.04.2020
PROPOSED STREETSCENES	Drg 00P 106 Rev B	14.04.2020

Reference/Drawing Number	Version	Date Rec
PROPOSED SOUTH ELEVATION	Drg 00P 114 Rev B	14.04.2020
PROPOSED EAST ELEVATION	Drg 00P 115 Rev B	14.04.2020

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

03. The development shall be carried out in accordance with the schedule and samples of materials and finishes to be used for the external walls and roofs of the extensions and alterations (including the proposed front boundary wall) and all works of making good to the external walls, as approved under AWDM/0093/23.

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

04. The development hereby permitted shall be implemented in accordance with the specification and details of the windows and external doors (including the bin store) approved under AWDM/0093/23.

Reason: *To safeguard the character of the area having regard to policy DM5 of the Worthing Local Plan.*

05. The development hereby permitted shall be implemented in accordance with the specification and sizes of the 'conservation style' rooflights approved under AWDM/0093/23.

Reason: *To safeguard the character of the area having regard to policy DM5 of the Worthing Local Plan.*

06. The decorative verge, profiled eaves detail, and rafter feet of the gable extension fronting King Street shall be implemented using materials, profiles and detailing to match that existing as shown on the approved Drgs: 00P 115 Rev B (Proposed East Elevation) and 00P 116 Rev C (Proposed North Elevation - decorative verge details) unless otherwise approved in writing by the Local Planning Authority.

Reason: *To safeguard the attractive character of the building in accordance with policy DM5 of the Worthing Local Plan.*

07. The development shall be implemented with the light-wells (open to the sky) as shown on the approved floor plan 1190-05 REV b and shall thereafter be permanently retained.

Reason: *To ensure satisfactory standards of amenity for the future occupiers having regard to policy DM5 of the Worthing Local Plan.*

08. The lower sashes of the first-floor windows in the west side elevation shown on Drg: 1190-04 REV c (serving Flat 4) shall at all times be of obscured glass. The first-floor window in the north elevation shown on Drg: 1190-04 REV c (serving Dwelling B) shall at all times be of obscured glass and be non opening (except that part which is above 1.6 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

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

09. The opening edge of the rooflights hereby permitted on the north, south, west and east roof slopes of the building(s) shall be positioned not less than 1.6 metres above the floor of the room in which the rooflight is located.

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

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), Dwellings A and B hereby permitted shall not be extended or externally altered or any incidental building erected in their curtilages.

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

11. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *In the interests of amenity and highway safety and having regard to the NPPF.*

12. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *To provide for a sustainable mode of transport.*

13. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 09.00hrs and 13.00hrs on Saturdays. No work shall take place on Sundays or on Bank or Public Holidays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy RES7 of the Worthing Local Plan.*

14. The development shall be implemented in accordance with the Construction Management Plan approved under AWDM/0093/23 and shall be adhered to throughout the entire construction period.

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

15. No part of the development shall be first occupied unless and until:-
    i) The replacement boundary wall fronting Northcourt Road and King Street has been constructed in accordance with plans and details of its design and appearance which have been submitted to and approved in writing by the Local Planning Authority.
    ii) Gates enclosing the courtyard garden (Dwelling B) have been carried out in accordance with plans and details of their siting, design and appearance which have been submitted to and approved in writing by the Local Planning Authority.
    iii) Boundary treatments on the north and west site boundaries have been repaired or replaced in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

16. The development shall be implemented in accordance with the proposed surface water drainage scheme approved under AWDM/1255/23. No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy DM22 of the Worthing Local Plan.*

17. The development hereby permitted shall be implemented in accordance with the proposed means of foul and surface water sewerage disposal agreed under AWDM/1255/23. The development shall not thereafter be occupied until all drainage works have been carried out in accordance with the details as approved.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy DM22 of the Worthing Local Plan.*

18. The development shall not be first occupied until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of 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 and the environment and to comply with policy DM5 of the Worthing Local Plan.*

19. The development hereby permitted shall not be first occupied unless and until details of the design, construction and surfacing of the access ramp to the flat building entrance on King Street have been submitted to and approved in writing by the local planning authority. Thereafter the access ramp shall only be carried out in accordance with the agreed details.

Reason: *In the interests of amenity having regard to policy DM5 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. Southern Water

Please be aware that the property is already built over existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth of the sewer it will be necessary for the applicant to contact Southern Water.

For further advice please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at SouthernWaterPlanning@southernwater.co.uk

04. It is recommended that all gas-fired boilers provided in relation to the development meet a minimum emissions standard of 40 mg NOx/kWh in order to sustain compliance with national objectives for NOx.

05. The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, livingroom, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

In this case, Dwelling A has a completely inadequate outlook from its main habitable space looking out only into a fully enclosed light well. This will also limit the through ventilation. Similarly the bedroom for Flat 2 has a completely inadequate outlook from its main habitable space looking out only into a fully enclosed light well, which is overlooked from the window of Bedroom 2 to Flat 4 above. The enclosed lightwell will also limit the through ventilation.

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

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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://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).

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