WORTHING BOROUGH COUNCIL

Mr Daniel Holmes
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Pulborough
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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
Schedule 2, Part 3 Class MA

APPLICATION NUMBER: NOTICE/0012/24

Details of Development
APPLICATION FOR PRIOR APPROVAL FOR CHANGE OF USE FROM OFFICES (USE CLASS E(G)(I)) TO 48 NO. RESIDENTIAL UNITS (C3) COMPRISING 15 NO. 1 BED 1 PERSON, 28 NO. 1 BED 2 PERSON AND 5 NO. TWO BEDROOM 3 PERSON FLATS

Location of Development
THE ATRIUM 3 THE CAUSEWAY WORTHING WEST SUSSEX

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 29th July 2024.

This is subject to compliance with the conditions specified overleaf.

G Peck

Gary Peck
Planning Services Manager
30/09/2024

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
A1403 TN02 Response to EHO Comments	29Tth August 2024	29.08.2024
DAYLIGHT & SUNLIGHT REPORT	13 September 2024	16.09.2024
PROPOSED GROUND FLOOR PLAN	2405/202 A	16.09.2024
PROPOSED FIRST FLOOR PLAN	2405/203 A	16.09.2024
TRANSPORT STATEMENT LETTER	18 July 2024	29.07.2024
PRIOR APPROVAL NOISE ASSESSMENT 20/02/2019	A1403 R01a	29.07.2024
RESPONSE TO EHO COMMENTS	A1403/TN01B	29.07.2024
ACOUSTICS SUPPORT LETTER	9th July 2024	29.07.2024
FLOOD RISK ASSESSMENT	June 2024	29.07.2024
STRUCTURAL APPRAISAL	GBP-001A Rev P1	29.07.2024
LOCATION PLAN	2405/000	29.07.2024
EXISTING SITE PLAN	2405/100	29.07.2024
EXTG BASEMENT PLAN	2405/101	29.07.2024
EXTG GROUND FLOOR PLAN	2405/102	29.07.2024
EXTG FIRST FLOOR PLAN	2405/103	29.07.2024
EXTG FRONT (W) & RIGHT (S) ELEVATIONS	2405/110	29.07.2024
EXTG REAR (E) & LEFT (N) ELEVATION	2405/111	29.07.2024
EXTG ATRIUM ELEVATIONS	2405/112	29.07.2024
EXTG SECTIONS	2405/113	29.07.2024
PROPOSED SITE PLAN	2405/200	29.07.2024
PROPOSED BASEMENT PLAN	2405/201	29.07.2024

Reference/Drawing Number	Version	Date Rec
PHASE 1 ENVIRONMENTAL SITE ASSESSMENT 23 July 2024	Issue 1	29.07.2024
SURVEYORS INSPECTION REPORT 1	LSR/22/27868	29.07.2024
TRANSPORT STATEMENT	April 2020	29.07.2024

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

02. A noise protection scheme to mitigate the noise impacts of the adjoining electrical substation transformers and noise from train movements shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of double or secondary glazed windows achieving a minimum Rw,125Hz 29dB and a strategy to prevent overheating. The chosen mechanical ventilation system shall be installed to minimise noise, ensuring all ventilation ducts are correctly sized and securely fixed. No dwelling shall be occupied unless and until the approved scheme has been implemented. Within 1 month of implementation a test shall be carried out and the results submitted to the Local Planning Authority to demonstrate that the attenuation measures carried out as part of the approved scheme are effective and achieve the specified design target.

Reason: *To protect future occupiers from noise disturbance in accordance with The National Planning Policy Framework and Worthing Local Plan Policies DM5 and DM22 and Planning Noise Advice Document Sussex.*

03. 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 contractor's 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.*

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

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

05. No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: *To encourage and promote sustainable transport.*

06. No part of the new development shall be first occupied until facilities for storage of refuse/re-cycling have been provided on the site in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: *In the interests of highway safety and to comply with the relevant paragraphs of the NPPF and Worthing Local Plan policies DM5 and DM15.*

07. If, during development, any visibly 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, then, unless otherwise agreed in writing with the Local Planning Authority, no further development 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 is proposed to be dealt with shall be submitted to and approved in writing by the Local Planning Authority and shall then be implemented as approved within an approved time period contained in the method statement.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policy DM22 of the Worthing Local Plan.*

Informatives / Notes to Applicant

01. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service. The applicant is advised of the requirement to enter 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 construction or demolition works, including the use of plant and machinery, should only take place on the site between 08.00 and 18.00hrs on Monday to Friday and between 08:00 and 13.00hrs on Saturdays. No work on the site should be undertaken 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).

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