



WORTHING BOROUGH COUNCIL

Mr Kevin Clarke
KJC Architects
2 Grove Cottage
Old Watercress Walk
Carshalton
SM5 3BD

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/0017/24

Details of Development

APPLICATION FOR PRIOR APPROVAL PURSUANT TO CLASS MA OF PART 3 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED) TO ALLOW THE CHANGE OF USE OF PART GROUND FLOOR FROM RETAIL (CLASS E) TO ONE RESIDENTIAL UNIT (CLASS C3)

Location of Development

15 - 17 BROADWATER STREET WEST WORTHING WEST SUSSEX BN14 9BT

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 12th September 2024.

This is subject to compliance with the conditions specified overleaf.

Gary Peck
Planning Services Manager
18/11/2024

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
PLANNING STATEMENT	24th July 2024	12.09.2024
EXISTING PLANS (GRND FLOOR)	0010-Z00 Rev 01	12.09.2024
EXISTING PLANS (ROOF)	0011-Z01 Rev 01	12.09.2024
EXISTING ELEVATION (REAR)	0020-ZXX Rev 02	12.09.2024
EXISTING ELEVATION (SIDES)	0021-ZXX Rev 02	12.09.2024
EXISTING ELEVATION (FRONT)	0022-ZXX Rev 02	12.09.2024
LOCATION PLAN	0200-ZXX Rev 02	12.09.2024
BLOCK PLAN	0201-ZXX Rev 01	12.09.2024
PROPOSED PLANS (ROOF)	0211-Z01 Rev 01	12.09.2024
PROPOSED ELEVATION (REAR)	0220-ZXX Rev 02	12.09.2024
PROPOSED ELEVATION (SIDES)	0221-ZXX Rev 02	12.09.2024
PROPOSED ELEVATION (FRONT)	0222-ZXX Rev 02	12.09.2024
FLOOD RISK ASSESSMENT	WTFR-FRA-2024/04/Q19 A	31.10.2024
PROPOSED PLANS (GRND FLOOR)	0210-Z00 Rev 02	31.10.2024

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

02. The dwelling unit hereby approved shall not be occupied unless and until the cycle storage, refuse/recycling storage facilities and fencing as shown on the approved drawing numbers 0210-Z00 REV 02 have been provided as approved and shall be retained thereafter for that purpose.

Reason: *In accordance with DM1, DM2, DM5, DM15 of the Worthing Local Plan and the NPPF.*

03. Prior to the first use of the development the Flood Evacuation Plan shall be put in place in accordance with the Flood Risk Assessment dated 30th October Ref: WTFR-FRA-2024/04/Q19 Rev A. The development shall thereafter be managed in accordance with the details thus approved for the lifetime of the development.

Reason: *To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Worthing Borough Council.*

04. The residential units hereby approved shall not be occupied until all the windows approved under planning application AWDM/0640/24 have been installed in full. The windows shall thereafter be retained in accordance with the planning permission for the lifetime of this development.

Reason: *To ensure the provisions of adequate natural light in all habitable rooms.*

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. A formal application for connection to the public sewerage system is required in order to service this development. 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
03. 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

04. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before the development commences. Further information can be found on the Council's website via the link <https://www.adur-worthing.gov.uk/planning-policy/infrastructure/>

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

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

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).

