WORTHING BOROUGH COUNCIL

Mr Uberlan de Farias Silva Junior
Warwick Lane Developments
1 The Steyne
Worthing
West Sussex
BN11 3DS

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0571/24

Details of Development
CHANGE OF USE B2 / B8 TO CLASS E. APPLICATION TO VARY CONDITION 3 (OPENING HOURS) OF PREVIOUSLY APPROVED AWDM/0387/22. AMENDMENT: TO OPEN FROM 9:00AM UNTIL 6:30PM MONDAY - SATURDAY AND 10:00AM TO 5:00PM ON SUNDAY

Location of Development
UNIT 2 MEADOW ROAD DEPOT MEADOW ROAD WORTHING WEST SUSSEX

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 29th April 2024.

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

G Peck

Gary Peck
Planning Services Manager
13/09/2024

SCHEDULE

Conditions

01. The use hereby permitted shall be discontinued and the premises returned its former lawful use on or before the expiration of the period ending on 30 September 2025.

Reason: *On the basis that permission would not normally be granted for such a use having regard to policy DDM11 of the Worthing Local Plan (2023) and is only permitted exceptionally in the short-term taking into account the planned redevelopment of the site in the future.*

02. The use hereby permitted shall not be open to customers, including for the receipt and dispatch of goods, except between the hours of 0900 and 1830 on Monday to Saturday and between 1000 and 1700 hours on Sundays and on Bank and Public Holidays.

Reason: *To safeguard the amenities of the occupiers of nearby residential properties having regard to policy DM5 Worthing Local Plan.*

03. No external units of fixed mechanical plant are permitted unless a scheme which shall be submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS:4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the decision date of this application. All plant shall be maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.

Reason: *In the interests of safeguarding the amenities of nearby residential occupiers in accordance with policy DM5 of the Worthing Local Plan.*

04. Within one month of this decision notice, details of secure cycle parking to serve the development shall be submitted to the local planning authority for approval in writing. Such facilities as agreed shall be provided within three month of the approval of details decision date and shall thereafter be retained 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.*

05. A Travel Plan Statement setting out measures to encourage staff and volunteers to travel to and from the site using sustainable transport modes shall be submitted to the Local Planning Authority for approval in writing within one month of the date of this decision notice. The Travel Plan Statement once approved shall be implemented within one month of the date of the approval of details decision and carried out in accordance with the details approved thereafter.

Reason: *To encourage and promote sustainable transport in accordance with policy DM15 of the Worthing Local Plan (2023).*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Ref: AWDM/0571/24

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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).