Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/11/0147/FULL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER 1995

Mr D Dickinson
Agility Healthcare Clinics
149 Lyndhurst Road
Worthing
West Sussex BN11 2DG

PROPOSAL: Variation of Condition 4 of WB/10/1012/FULL to allow the use to operate from 8am to 8pm Monday to Friday and 8am to 6pm Saturdays

LOCATION : 244 Ham Road Worthing

DATE REGISTERED : 23rd February 2011

APPLICANT : Mr D Dickinson

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the approved plans which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

   Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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[redacted]

Dated : 14th April 2011

Executive Head of Planning,
Regeneration and Wellbeing

Note: Your attention is drawn to the notes and advice overleaf.

2. The development hereby permitted shall be carried out in accordance with the following approved plans except as where specified in any other condition attached to this permission:-

Un-numbered site/location plan, Un-numbered shop display drawing, Proposed specification, Un-numbered floorplans, Un-numbered elevation, Un-numbered roller shutter section, Photographs/manufacturers' brochure of roller shutter open grille and email from the applicant dated 24th January 2011 in respect of the HAG roller shutter Alunlink Grille G2.

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

3. The premises shall be used only for purposes within Use Class D(a) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: Changes of use permitted by the Town and Country Planning (General Permitted Development) Order 1995 may give rise to unacceptable impacts due to the size of the premises, proximity to housing, absence of off street parking and served by a busy road in accordance with saved Worthing Local Plan Policies H18 and TR9.

4. The premises shall not be open for trade or business except between the hours of 8am and 8pm Mondays to Friday and 8am and 6pm Saturdays and closed on Sundays or on Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with saved Worthing Local Plan Policies H18 and RES7.

5. The roller shutters shall be of an open grille design as shown in the illustrative photograph submitted with the application and enclosed with the email from the applicant dated 24th January 2011 in respect of the HAG roller shutter Alunlink Grille G2. They shall be operated and maintained in accordance with the manufacturer's specifications and shall only be operated between the hours of 7.45am and 8.15pm Monday to Saturday.

Reason: In the interests of visual and neighbour amenity in accordance with saved Worthing Local Plan Policies H18 and BE1.

6. A window display shall be maintained at all times in the shopfront of a kind shown in the approved drawings.

Reason: In the interests of visual amenity in accordance with saved Worthing Local Plan Policy BE1.

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7. The approved use shall not commence unless and until details of disabled access from the forecourt to the premises have been submitted and approved by the Local Planning Authority and the approved works shall be carried out fully in accordance with any such approval prior to the start of the use and retained thereafter.

   Reason: In the interests of convenient access by people with mobility difficulties in accordance with PPG13: Transport and Planning Policy Statement 1: Delivering Sustainable Development.

INFORMATIVES

1. Reason for approval

   The proposal would retain an employment use and provide a valuable community service and is sustainably located. The operation of the use would not give rise to any unacceptable disturbance, even with the longer hours and the design of the development is acceptable, subject to the controls imposed. As such it does not conflict with:-

   Saved Worthing Local Plan Policies 2003

   BE1 - Design Quality
   H18 - Amenity of Residents
   RES7 - Control of Polluting Development
   S13 - Ground Floor Uses Local Shopping Parades
   TR9 - Parking Requirements for Development

   Worthing Submitted Core Strategy Policy 11

   Planning Policy Statement 1 : Delivering Sustainable Development
   PPS4 : Planning for Sustainable Economic Growth
   PPG13 : Transport

This information is only intended as a summary of the reasons for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Reception at Portland House, Richmond Road, Worthing.