WORTHING BOROUGH COUNCIL

Mr Jeremy Butterworth
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London
WC2H 9JQ
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/0022/23

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE FROM CLASS E (C) (II) AT FIRST FLOOR TO 3NO. 1 BED DWELLING (CLASS C3).

Location of Development
5 BROADWATER STREET EAST WORTHING WEST SUSSEX BN14 9AA

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 5th December 2023.

This is subject to compliance with the conditions specified overleaf.

G Peck

Gary Peck
Planning Services Manager
30/01/2024

Worthing Borough Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

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	23063	05.12.2023
LOCATION & BLOCK PLAN	01	05.12.2023
EXISTING GROUND FLOOR PLAN	02A	05.12.2023
EXISTING FIRST FLOOR PLAN	03A	05.12.2023
EXISTING ELEVATIONS	04	05.12.2023
PROPOSED GROUND FLOOR PLAN	05A	05.12.2023
PROPOSED ELEVATIONS	07	05.12.2023
PROPOSED FIRST FLOOR PLAN	06B	29.01.2024

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

02. Details of the proposed secure, covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The agreed provision shall be provided prior to first occupation of any dwelling and shall thereafter be retained permanently solely 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.*

03. The bin storage provision shown on the approved plan shall be provided prior to first occupation of the dwellings and shall thereafter be retained permanently solely for such purposes

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

04. Works for implementing the development shall not commence until an impact assessment of noise from existing adjacent commercial premises has been submitted to and approved by the local planning authority. The assessment shall follow the principles of BS 4142:2014+A1:2019 and include noise from deliveries, operation of adjacent developments and any fixed plant. The assessment shall include a scheme for protecting the proposed noise sensitive development from external commercial noise. The scheme shall achieve the indoor ambient noise levels for dwellings specified in BS:8233:2014. Following approval of the scheme

and prior to first occupation of any dwelling unit, a test shall be undertaken and the results submitted to the local planning authority to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Reason: *To ensure satisfactory living conditions for the future occupiers in accordance with policies SP3 and DM5 of the Worthing Local Plan.*

Informatives / Notes to Applicant

01. Southern Water

Southern Water requires a formal application for a connection to the public water main to be made by the applicant or developer.

A formal application for connection to the public foul and surface water sewer 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

In situations where surface water is being considered for discharge to the Southern Water network, the below hierarchy for surface water is required to be followed which is reflected in part H3 of the Building Regulations:-

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. 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

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. The Private Sector Housing (PSH) team of Adur and Worthing Councils has 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, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

In this case, units 1 and 3 have access to the bedrooms through other habitable rooms and so are inner rooms.

Fire escape windows at first floor level are not accepted by PSH under the Housing Act 2004.

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

04. To safeguard the amenities of neighbouring residential occupiers the Developer/Applicant is advised that no work for the implementation of the development is undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 09.00 and 13.00 hours on Saturdays. It is advised that no work takes place on Sundays or on Bank or Public Holidays.

05. The Applicant is advised that sound insulation of the floor/ceiling between the ground and first floor is undertaken to achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB).

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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).