Planning Services, Adur & Worthing Councils

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BN11 1HS

Tel : 01903 221065
websites : www.adur.gov.uk or www.worthing.gov.uk
e-mail : planning@adur-worthing.gov.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Mayberry Garden Centre

Address Line 1

Old Shoreham Road

Address Line 2

Address Line 3

Town/city

Portslade

Postcode

BN41 1SP

Description of site location must be completed if postcode is not known:

Easting (x)

525215

Northing (y)

105878

Description

East side of former Eastbrook Allotments, land adjacent to Mayberry Garden Centre incorporating the existing footpath

Applicant Details

Name/Company

Title

Mr

First name

Jonathan

Surname

Tate

Company Name

Tate Bros Ltd

Address

Address line 1

Mayberry Garden Centre Old Shoreham Road

Address line 2

Address line 3

Town/City

Portslade

County

Country

Postcode

BN41 1SP

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Euan

Surname

Clark

Company Name

Folkes Architects

Address

Address line 1

The Old Forge

Address line 2

6 Church Street

Address line 3

Town/City

Storrington

County

Country

United Kingdom

Postcode

RH20 4LA

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Erection of extension to south and west of existing Garden Centre, providing Internal Retail Area, Warehouse and associated Goods Delivery Yard. Extension and landscaping of External Retail Area to west of Garden Centre including new security,fencing to Western boundary. Demolition of existing frost canopies and erection of new semi-enclosed glass roof frost canopy. Diversion of existing Public Right of Way. Creation ,of new vehicle access from Old Shoreham Road. Internal alterations including relocation of Offices and replacement of existing Goods Lift.

Reference number

AWDM/1154/21

Date of decision (date must be pre-application submission)

12/04/2022

Please state the condition number(s) to which this application relates

Condition number(s)

Condition no.01 - approved drawings

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

04/09/2023

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The applicant wishes to alter the proposed frost canopy arrangement and amend the fenestration to the approved extension - no increase in GIA

If you wish the existing condition to be changed, please state how you wish the condition to be varied

we wish to amend the references of the approved plans

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [x] Yes
- [ ] No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Mayberry GC

Date (must be pre-application submission)

22/01/2024

Details of the pre-application advice received

confirmation that the proposed amendments to the approved drawings could be dealt with via a S73

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

- [ ] Yes
- [x] No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

Jonathan

Surname

Tate

Declaration Date

23/01/2024

- [x] Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Mark Folkes

Date

23/01/2024