WORTHING BOROUGH COUNCIL

Mr Luke Austin
Whaleback Planning & Design
91 Boundary Road
Hove
BN3 7GA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0790/23

Details of Development
CONSTRUCTION OF 2-STOREY ROOF EXTENSION TO PROVIDE OFFICES.

Location of Development
THE MILL BUILDING 35 CHATSWORTH 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 30th June 2023.

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
24/08/2023

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
PROPOSED SITE & ROOF PLAN	TA 1250/11 D	22.08.2023
PROPOSED STREET ELEVATION (Chatsworth Road)	TA 1250/12 D	22.08.2023
PROPOSED STREET ELEVATIONS (High Street)	TA 1250/13 D	22.08.2023
PROPOSED FLOOR PLAN (4th)	TA 1250/14 C	22.08.2023
PROPOSED FLOOR PLAN (5th)	TA 1250/15 C	22.08.2023
PROPOSED TERRACE PLAN	TA 1250/16 D	22.08.2023
PROPOSED ELEVATION (South)	TA 1250/17 E	22.08.2023
PROPOSED ELEVATION (West)	TA 1250/18 E	22.08.2023
PROPOSED ELEVATION (North)	TA 1250/19 E	22.08.2023
PROPOSED ELEVATION (East)	TA 1250/20 E	22.08.2023
PROPOSED SECTION (A-A)	TA 1250/21 E	22.08.2023
PROPOSED SECTION (B-B)	TA 1250/22 E	22.08.2023
PROPOSED GROUND FLOOR PLAN	TA 1250/23 A	22.08.2023
PROPOSED FLOOR PLAN (3rd)	TA 1250/26 A	22.08.2023
PROPOSED ROOF PLAN	TA 1250/27 B	22.08.2023
EXTG FLOOR PLANS (1st)	TA 1250/02	30.06.2023
EXTG FLOOR PLANS (2nd)	TA 1250/03	30.06.2023
EXTG FLOOR PLANS (3rd)	TA 1250/04	30.06.2023
EXTG ROOF PLAN	TA 1250/05	30.06.2023
EXTG ELEVATION (Front)	TA 1250/06	30.06.2023
EXTG ELEVATION (Side)	TA 1250/07	30.06.2023

Reference/Drawing Number	Version	Date Rec
EXTG ELEVATION (Rear)	TA 1250/08	30.06.2023
EXTG ELEVATION (Side)	TA 1250/09	30.06.2023
EXTG SECTIONS (A-A)	TA 1250/10	30.06.2023
EXTG SECTIONS (B-B)	TA 1250/11	30.06.2023
BLOCK & SITE LOCATION PLANS	TA 1250/20	30.06.2023

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

02. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. No works to implement the development shall be carried out unless and until a schedule and samples of materials, colours and finishes to be used for the external walls (including all roof top housing) windows, doors and roof of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and samples.

Reason: *In the interests of visual amenity and to comply with policy DM5 of the Worthing Local Plan.*

04. Works to implement the development shall not commence unless and until a specification and scaled drawings and sections at a scale not less than 1:10 detailing the design, construction and profiles of the following architectural details have been submitted to and approved in writing by the local planning authority: horizontal expressed profiled banding, arched window heads and expressed cills, windows/doors, parapet wall edging or trims, standing seam cladding system, roof plant housing/external finishes, profiled over-sailing eaves detail. Thereafter the development shall only be carried out in accordance with the agreed specification and details.

Reason: *To ensure high quality design and to safeguard the character of the area having regard to policy DM5 of the Worthing Local Plan.*

05. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision in any Statutory Instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), the development hereby permitted shall be used only as offices (Class E(g)(i)) and for no other use or purpose within Class E or any other Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision

equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *To protect the supply of office floor space in the key office area in accordance with policy DM11 of the Worthing Local Plan.*

06. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 09.00 and 13.00hrs on Saturdays. No work shall take place on Sundays or on Bank or Public Holidays. Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies DM5 and DM22 of the Worthing Local Plan.*

07. Prior to commencement of first use of the additional floor space hereby permitted a Green Travel Plan setting out measures to promote sustainable travel modes and mitigate the effects of the development on the local highway network shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed Green Travel Plan shall be implemented and adhered to at all times with annual monitoring carried out and any necessary new measures or interventions implemented accordingly.

Reason: *To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development having regard to policy DM15 of the Worthing Local Plan.*

08. Prior to installation of any new or relocated air handling plant or other externally fixed or sited plant or machinery, details of the plant and machinery including details of mounting and a noise attenuation scheme shall be submitted to and approved in writing by the Local Planning Authority. 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 approved scheme shall be undertaken within one month of any externally fixed or sited plant or machinery being implemented/re-located. 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 amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policy DM22 of the Worthing Local Plan.*

09. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding, a commitment to no burning on site, the provision of wheel washing facilities and other works required to mitigate
- the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site.
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites.
- Details of public and neighbour engagement both prior to and during construction works.

Reason: *In the interests of highway safety, the environment and amenity.*

10. Prior to first occupation evidence shall be submitted to and agreed by the Local Planning Authority demonstrating that the development hereby permitted has achieved a minimum Band 'B' rating Energy Performance Certificate.

Reason: *In order to demonstrate the sustainability of the development and to contribute towards achieving zero carbon emissions in accordance with policies SP2 and DM16 of the Worthing Local Plan.*

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.

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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://www.gov.uk/appeal-planning-decision.

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 in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).