WORTHING BOROUGH COUNCIL

Miss Clare Burton
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United Kingdom

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS, 1992

APPLICATION NUMBER: AWDM/0958/24

Installation of 4 x external AC condensers with security enclosures

Pharmacy 4 Christchurch Road Worthing West Sussex

In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under Regulation 4 of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 20th August 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
04/10/2024

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
PROPOSED SOUTH & WEST ELEVATION	DR-A-3012 P01	20.08.2024
AOYG09KPCA DIMENSIONAL DRAWING		20.08.2024
AOYG09KPCA NOISE CURVE		20.08.2024
AOYG09KPCA SALES DATA SHEET		20.08.2024
AOYG09KPCA SPECIFICATIONS		20.08.2024
AOYG45KATA DIMENSIONAL DRAWING		20.08.2024
AOYG45KATA NOISE CURVE		20.08.2024
AOYG45KATA SALES DATA SHEET		20.08.2024
AOYG45KATA SPECIFICATIONS		20.08.2024
SITE LOCATION PLAN	DR-A-1000 P01	20.08.2024
GENERAL REAR ELEVATION OF A/C PLANT PROPOSALS	M/HVAC/003 REV A	20.08.2024
GENERAL SIDE ELEVATION OF A/C PLANT PROPOSALS	M/HVAC/004 REV A	20.08.2024
DETAILED PLAN & FRONT ELEVATION	M/HVAC/005 REV A	20.08.2024
DETAILED END ELEVATION OF A/C PLANT PROPOSALS	M/HVAC/006 REV A	20.08.2024
PROPOSED A/C RELOCATION	A117	20.08.2024
EXISTING SECTIONS	DRAWING 1 V2	20.08.2024
PROPOSED SECTIONS	DRAWING 2 V2	20.08.2024
FLOOR PLANS	DRAWING 3 V2	20.08.2024
WEST ELEVATION	DRAWING 4 V2	20.08.2024

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. Prior to first use of the units hereby approved, the security enclosures shall be installed in full and powder coated in RAL 7016 as specified on the approved plans. The units and enclosures shall thereafter be maintained as such for the lifetime of the development.

Reason: *In the interests of visual amenity in accordance with policy DM5 of the Worthing Local Plan.*

04. The use of the air conditioning units hereby permitted shall be restricted to the opening hours of the pharmacy which are Monday to Fridays 8am to 6.30pm, Saturdays 9am to 12pm and closed on Sundays.

Reason: *To protect neighbouring amenity in accordance with policy DM5 of the Worthing Local Plan.*

05. The air condensing/air moving apparatus hereby approved, including any ducting, shall be fully maintained throughout their lifespan, in accordance with manufacturer recommendations and shall not exceed their noise and vibration levels predicted in the approved documents.

Reason: *To minimise risk of noise and vibration in the interests of the amenities of the area in accordance with policies DM5 and DM22 of the Worthing Local Plan (2023).*

Ref: - AWDM/0958/24

TOWN AND COUNTRY PLANNING ACT 1990

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 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).