WORTHING BOROUGH COUNCIL

Mr Matthew Beasley
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9 Stanley Road
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United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0521/23

Details of Development
CONVERSION OF UPPER FLOOR LEVELS AND EXTENSIONS AT SECOND AND THIRD FLOORS CREATE 6NO. 2-BED FLATS.

Location of Development
DEVELOPMENT OF UPPER FLOORS AT 30 TO 32 CHAPEL 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 11th April 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
18/04/2024

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
DESIGN & ACCESS & HERITAGE STATEMENTS	0021-DA01A	15.11.2023
LOCATION & BLOCK PLANS	SLP01A	15.11.2023
EXISTING SITE PLAN	PL01A	15.11.2023
EXISTING FLOOR PLANS	PL02A	15.11.2023
EXISTING SECTIONS	PL04A	15.11.2023
PROPOSED GROUND & FIRST FLOOR PLANS	PL06B	15.11.2023
PROPOSED SECOND & THIRD FLOOR PLANS	PL07B	15.11.2023
PROPOSED SECTIONS	PL09C	15.11.2023
PROPOSED FIRE STRATEGY PLANS	PL10B	15.11.2023
EXISTING ELEVATIONS	PL03C	07.02.2024
PROPOSED SITE PLAN	PL05C	07.02.2024
PROPOSED ELEVATIONS	PL08D	07.02.2024
PLANNING STATEMENT		11.04.2023
NOISE ASSESSMENT		11.04.2023
PROPOSED VISUALISATIONS	PL11	11.04.2023

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. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this permission shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

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: *In the interests of residential amenity.*

04. 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.

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

05. Prior to the commencement of development precise details of the materials and external finishes to be used for the development shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 and DM24 of the Worthing Local Plan.*

06. All works forming part of the noise mitigation measures recommended in the Noise Assessment report by F1 Acoustics Company Limited dated 17 March 2023 including glazing specifications shall be fully implemented before any part of the residential accommodation hereby approved is occupied. Following completion of the scheme, a competent person employed by the developer shall undertake a test

to demonstrate that the attenuation measures proposed in the scheme are effective and adequately protect the residential units from noise having regard to the principles contained within ProPG: Planning & Noise - New Residential Development, the World Health Organisation community noise guidelines, BS4142:2014+A1:2019 and indoor ambient noise levels for dwellings specified in BS8233:2014, with windows shut and other means of acoustically treated ventilation provided (with details of external appearance to be submitted to and approved in writing by the Local Planning Authority prior to installation).

Reason: *To protect residential occupiers from noise having regard to policy DM5 and DM22 of the Worthing Local Plan.*

07. An overheating assessment shall be submitted to and approved in writing by the Local Planning Authority (having regard to Good Homes Overheating Guidance (at https://goodhomes.org.uk/overheating-in-new-homes)) and a strategy to prevent overheating. All works which form part of the scheme shall be completed in accordance with the approved details before any part of the residential floorspace hereby approved is occupied.

Reason: *In the interests of residential amenity.*

08. A scheme for soft and hard landscaping shall be submitted to and agreed in writing with the Local Planning Authority prior to first occupation of the dwellings hereby approved. The soft landscaping scheme shall include planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme. Hard landscaping scheme shall include hard surfacing materials, finished levels, and location and details of biodiversity measures. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping shall be provided prior to the occupation of the development hereby permitted.

Reason: *In the interests of visual amenity and the environment and to comply with policy DM5 and DM18 of the Worthing Local Plan.*

09. The dwellings shall not be occupied until all walls, fences or other means of enclosure have been erected in accordance with details submitted to and approved in writing by the Local Planning Authority and they shall thereafter be retained permanently.

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

10. Precise details of sustainability measures shall be submitted to and approved in writing by the Local Planning Authority and the agreed measures shall be fully implemented before the dwellings are first occupied unless otherwise agreed in writing with the Local Planning Authority.

    Reason: *To minimise vulnerability and provide resilience to the effects of climate change having regard to Policies DM16 and DM17 of the Worthing Local Plan and the policies of the NPPF.*

11. Secure, covered cycle parking shall be provided within the site as indicated on the approved drawings and in accordance with precise details to be submitted to and approved in writing by the Local Planning Authority. Such approved cycle facilities shall be provided on the site prior to commencement of use of the dwellings hereby approved and shall thereafter be retained permanently solely for such purposes.

    Reason: *In the interests of sustainable transport and amenity in accordance with DM15 of the Worthing Local Plan.*

12. The dwellings hereby permitted shall not be occupied until refuse/recycling storage enclosures and facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. Such enclosures and facilities as provided shall thereafter be retained for bin storage purposes.

    Reason: *In the interests of amenity and the environment having regard to policy DM5 of the Worthing Local Plan.*

13. Precise details of the entrance canopy on the rear (east) elevation hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented before the dwellings are first occupied unless otherwise agreed in writing with the Local Planning Authority.

    Reason: *In the interests of visual and residential amenity having regard to policy DM5 of the Worthing Local Plan.*

14. An obscure glazed privacy screen shall be installed to the northern edges/balustrades of each roof terrace hereby approved at a height of 1.7m above the finished floor level, unless as otherwise agreed in writing, before the roof terraces are first brought into use, and shall be retained thereafter.

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

15. The windows as indicated with 'OB' and '*' on the approved drawings and windows in the south side elevation serving the stairwells and corridors as indicated on the approved plans shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and shall not subsequently be altered in any way.

Reason: *To prevent overlooking and to comply with saved policy DM5 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.

02. A formal application for connection to the public sewerage system 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

03. The developer is advised of the requirement to provide evidence that all parts inside all flats are within 45 metres of the location of a fire appliance in accordance with Approved Document B (AD-B) Volume 1 B5 section 13. West Sussex Fire and Rescue Service has advised that this is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45 metre distance will need to be mitigated by the installation of sprinkler or water mist system complying with BS9251 or BS8458 standards.

04. 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

05. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before

the development commences. Further information can be found on the Council's website via the link https://www.adur-worthing.gov.uk/planning-policy/infrastructure/

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

06. 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

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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).