WORTHING BOROUGH COUNCIL

Laurence Fry
Mindworks Escape Rooms Ltd
34 Salvington Gardens
Worthing
BN13 2BL
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0524/23

Details of Development
APPLICATION TO VARY CONDITIONS 5 AND 6 OF APPROVED APPLICATION AWDM/1606/19 FOR CHANGE OF USE FROM RETAIL (A1) TO (D2) ESCAPE ROOM; MINDWORKS REQUEST THAT THESE CONDITIONS CAN BE VARIED SO THAT BOTH ENTRANCES CAN BE USED DURING THE OPENING HOURS FOR THE ESCAPE ROOMS.

Location of Development
26 GUILDBOURNE SHOPPING CENTRE GUILDBOURNE CENTRE WORTHING WEST SUSSEX BN11 1LZ

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 5th 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
31/05/2023

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
APPLICATION FORM		05.04.2023
PLANS APPROVED 27/11/2019 UNDER AWDM/1606/19		
LOCATION PLAN		21.10.2019
BLOCK PLAN		21.10.2019
PROPOSED GROUND FLOOR PLAN		21.10.2019
FIRST FLOOR PLAN		21.10.2019
CURRENT GROUND FLOOR PLAN		21.10.2019
SUPPORTING STATEMENT		21.10.2019
ADDITIONAL INFORMATION		21.10.2019
PHOTOGRAPHIC EVIDENCE		21.10.2019

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

03. Notwithstanding the provisions of (i) the Town and Country Planning General Permitted Development Order 2015 as amended, and (ii) the Use Classes Order 1987 as amended (or any Order revoking and re-enacting either Order with or without modification) , the premises shall only be used as escape rooms and for no other purpose.

Reason: *In the interests of sustainable development having regard to policies DM12 and DM13 of the Worthing Local Plan.*

04. The escape rooms use hereby permitted shall not be carried on except between the hours of 09.00 and 21.30 on Monday to Saturday (inclusive) and between 10.00 and 21.00 hours on Sundays and on Bank and Public Holidays.

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

05. Customer access to the escape rooms from the internal mall of the Guildbourne Centre shall be provided and retained at all times that the Guildbourne Shopping Centre is open for trade and business, in addition to the access onto Ann Street.

Reason: *To ensure the vitality of the shopping centre having regard to policy DM13 of the Worthing Local Plan.*

06. The rear doors on to Ann Street, in addition to the internal access through the Guildbourne Centre, shall be used for customer access to the escape rooms only during opening hours for the business.

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

07. The maximum number of participants for any one room shall be 8 people, sessions shall start at staggered intervals and the total number of participants at any one time shall not exceed a maximum of 24 people.

Reason: *In the interests of amenity having regard to 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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://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).

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