WORTHING BOROUGH COUNCIL

Mr Dean Jordan
DARA
21 Egerton Gardens
London
SW3 2DF
United Kingdom

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3 Class MA

APPLICATION NUMBER: NOTICE/0014/24

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE OF EXISTING BUILDING FROM COMMERCIAL (CLASS E) TO RESIDENTIAL (CLASS C3), CREATING 29NO. NEW DWELLINGS.

Location of Development
WICKER HOUSE HIGH STREET WORTHING WEST SUSSEX BN11 1DJ

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify that PRIOR APPROVAL IS REQUIRED for the above development from the Local Planning Authority and hereby GRANTED, in accordance with the application and information registered on 14th August 2024.

This is subject to compliance with the conditions specified overleaf.

G Peck

Gary Peck
Head of Planning & Development
26/06/2025

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
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
SITE PLAN	24044-SK-001C	26.02.2025
GROUND FLOOR PLAN	24044-SK-002D	20.01.2025
FIRST FLOOR PLAN	24044-SK-003D	20.01.2025
COVER LETTER & FLOOD MAP		14.08.2024
SITE LOCATION PLAN	2410-W-001-SLP	14.08.2024
EXISTING GROUND FLOOR PLAN	2410-W-100A	14.08.2024
EXISTING FIRST FLOOR PLAN	2410-W-101A	14.08.2024
EXISTING NORTH & EAST ELEVATIONS	2410-W-102	14.08.2024
EXISTING SOUTH & WEST ELEVATIONS	2410-W-103	14.08.2024
PROPOSED BLOCK PLAN	2410-W-202	14.08.2024

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

02. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework policy DM22 of the Worthing Local Plan.*

03. The development hereby permitted shall not be commenced until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water and the dwellings shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy DM20 of the Worthing Local Plan.*

04. 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 occupation 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.*

05. 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.*

06. The vehicle parking spaces shall be retained as indicated on the approved plans and particulars for their designated use by residents.

Reason: *To provide adequate on-site car parking spaces for the development.*

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 prior approval in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The Applicant is advised that works necessary for implementation of this development should be limited to the following times.

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

03. The applicant is advised that evidence is required to show that all points inside all dwellings are within 45 metres of a fire appliance location or a dry riser outlet in accordance with Approved Document B Volume 1 2019 Edition B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement, as this type of measurement is very rarely achievable due to obstructions. Any areas not within the 45-metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS8458 standard. For further advice please refer to West Sussex Fire and Rescue Service.

04. The applicant is advised that the site is adjacent to a flood risk, therefore the applicant should consider creating an emergency plan in case of the event of a flood. The Flood Evacuation Plan should be created in line with 'Flood risk emergency plans for new development' as produced by ADEPT and EA and demonstrate safe access and egress in accordance with NPPF.

05. The applicant is advised that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

06. 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

07. The applicant is advised that Southern Water records show the approximate position of the existing sewer in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

08. 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.

09. 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

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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, and you want to appeal, then you must do so within 12 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).