WORTHING BOROUGH COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0479/24

Details of Development
CHANGE OF USE OF EXISTING MIXED USED BUILDING (RETAIL AND 2 NO. RESIDENTIAL PROPERTIES) TO 2 NO. DWELLINGS, INCLUDING ALTERATIONS TO THE FRONT ELEVATION, AND ERECTION OF FRONT BOUNDARY WALL

Location of Development
8 - 10 GRATWICKE ROAD WORTHING WEST SUSSEX BN11 4BH

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 10th April 2024.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Gary Peck
Planning Services Manager
24/10/2024

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
REAR GARDEN FLOOD BARRIER - LAKESIDE FLOOD SOLUTIONS		09.07.2024
SUSTAINABLE DESIGN	POLICY DM16	09.07.2024
FLOOD MITIGATION STATEMENT	FB-23-0703	09.09.2024
MARKETING REPORT		10.04.2024
FLOODSHIELD BARRIER		30.08.2024
PROPOSED PLANS & SECTIONS/SIDE ELEVATIONS	FB23-0703 PL11-D	30.08.2024
PROPOSED FRONT & REAR ELEVATIONS	FB23-0703 PL12-D	30.08.2024
D&A STATEMENT		10.04.2024
FLOOD RISK ASSESMENT	93289	10.04.2024
EXISTING LOCATION & BLOCK PLANS	FB23-0703 EX01	10.04.2024
EXISTING PLANS & SECTIONS/SIDE ELEVATIONS	FB23-0703 EX08	10.04.2024
EXISTING FRONT & REAR ELEVATIONS	FB23-0703 EX09	10.04.2024
PROPOSED LOCATION & BLOCK PLANS	FB23-0703 PL08	10.04.2024

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. 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. The development shall be carried out in accordance with the submitted flood barrier details deposited 9 July 2024 and 30 August 2024, Flood Mitigation Statement deposited 9 September 2024 and Flood Risk Assessment reference 93289-Maitland-GratwickeRd-v2.1 deposited 10 April 2024, including implementation of a flood warning and evacuation plan which shall be submitted to and agreed in writing by the Local Planning Authority. The approved measures shall be fully implemented prior to occupation of the dwellings hereby approved and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To minimise risk from flooding in accordance with policy DM20 of the Worthing Local Plan and the NPPF.*

05. 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.*

06. The development shall be carried out in accordance with the submitted sustainability measures entitled 'Policy DM16 - Sustainable Design' submitted 9 July 2024 and shall be fully implemented before the dwellings are first occupied unless otherwise agreed in writing with the Local Planning Authority and shall be retained thereafter.

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

07. The external materials, detailing and finishes of the development hereby permitted shall, prior to occupation of the dwellings hereby approved, be completed to match those of the existing building, including sliding sash window design, unless otherwise approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details thus approved and be retained for the lifetime of the development.

Reason: *In the interests of visual amenity and the wider conservation area, to ensure a high quality appearance and character of development in accordance with policies DM5 and DM24 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. The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process:

National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR
https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways

03. 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

04. 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

05. 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, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email SouthernWaterPlanning@southernwater.co.uk

06. Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from the Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office.

Should any diversion works be necessary as a result of the development then enquiries should be made to the Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

You can also find support and application forms on UK Power Networks website Moving electricity supplies or equipment.

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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).