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/0756/23

Details of Development
EXTENSION AND CONVERSION OF VACANT BUILDING TO PROVIDE 20NO. SELF-CONTAINED FLATS WITH SMALL ANCILLARY OFFICE AND REFUSE STORES, INVOLVING GROUND-FLOOR REAR EXTENSION TO REPLACE EXISTING CONSERVATORY AND INFILL EXTENSION TO SE CORNER AT FIRST, SECOND AND THIRD FLOORS. APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF PREVIOUSLY APPROVED AWDM/0282/22. AMENDMENTS: ELEVATION CHANGES TO INCLUDE WINDOW STYLES AND SIZES ADJUSTMENTS, EXTENT OF LIFT OVERRUN AND VENTILATION SHAFTS AMENDED, AMENDMENT TO THE SITE PLAN AND INTERNAL CHANGES.

Location of Development
AVILA HOUSE 60 GRATWICKE 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 30th May 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
29/08/2023

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 GROUND FLOOR PLAN	1834.105a	26.07.2023
PROPOSED FIRST FLOOR PLAN	1834.106a	26.07.2023
PROPOSED SECOND FLOOR PLAN	1834.107a	26.07.2023
PROPOSED THIRD FLOOR PLAN	1834.108a	26.07.2023
EXISTING ELEVATIONS	1834.109a	26.07.2023
PROPOSED ELEVATIONS	1834.110a	26.07.2023
PROPOSED SOLAR PV LAYOUT	E018-HE	26.07.2023
AOV SMOKE VENT BROCHURE	SE CONTROLS DECEUNINCK	26.07.2023
2800 BROCHURE 2020	WIINDOWS AND DOORS	26.07.2023
PROPOSED SITE PLAN, LOCATION & BLOCK PLANS	1834P.100a	30.05.2023
EXISTING GROUND FLOOR PLAN	1834P.101	30.05.2023
EXISTING FIRST FLOOR PLAN	1834P.102	30.05.2023
EXISTING SECOND FLOOR PLAN	1834P.103	30.05.2023
EXISTING THIRD FLOOR PLAN	1834P.104	30.05.2023
PROPOSED GROUND FLOOR PLAN	1834P.105	30.05.2023

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

03. The external materials and finishes of the development hereby permitted, including all new windows and works of making good, shall be completed to match in design, colour and texture those of the existing building unless otherwise approved in writing by the Local Planning Authority.

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

04. Prior to first occupation the secure, covered cycle store shall be implemented in accordance with the details approved under AWDM/1690/22.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

05. Prior to first occupation the bin store approved under AWDM/1690/22 shall be implemented in accordance with the details approved under AWDM/1690/22.

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

06. The existing trees/bushes/hedges shown on the approved plan as being retained shall be protected for the duration of construction works in accordance with the details agreed under AWDM/1690/22 and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any trees/bushes/hedges or parts thereof which are shown on the approved plan as being retained which are removed without consent or die or are severely damaged or become seriously diseased during that period shall be replaced in the following planting season with trees/bushes/hedges of such size and species as may be agreed with the Local Planning Authority.

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

07. All planting, seeding or turfing comprised in the landscaping scheme approved under AWDM/1690/22 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and 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. The approved details of hard landscaping shall be completed prior to occupation of the buildings.

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

08. Prior to first occupation of the development the new boundary and screen walls/fences approved under AWDM/1690/22 shall be implemented other than as hereby approved, and shall thereafter be retained

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

09. Prior to first occupation of the development the solar PV array shown on the approved drawing E018-HE shall be implemented.

Reason: *To minimise vulnerability and provide resilience to the effects of climate change in accordance with policies DM16 and DM17 of the Worthing Local Plan.*

10. The site set-up approved under AWDM/1690/22 including all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development shall be implemented throughout the period of construction works on the site.

    Reason: *To avoid undue congestion of the site and consequent obstruction to access.*

11. The proposed biodiversity enhancements agreed under AWD/1690/22 shall be implemented prior to first occupation the development hereby permitted.

    Reason: *In the interests of sustainable development and to enhance biodiversity in accordance with policy DM18 of the Worthing Local Plan.*

12. The dwellings hereby permitted shall only be used as specialised supported housing as defined in The Social Housing Rents Regulations 2016 and shall not be used for any other purpose including any other purpose within Class C3(b) of the schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

    Reason: *Permission is granted having regard to the need for the provision of specialist housing in the Borough.*

13. 13. The means of foul sewerage and surface water disposal for the development shall be implemented in accordance with the details approved under AWDM/1690/22.

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

02. 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

03. 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.

Southern Water can facilitate water supply to service the proposed development. A formal application for a connection to the water supply should be made by the applicant or developer.

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://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).