WORTHING BOROUGH COUNCIL

Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1331/24

Details of Development
DEMOLITION OF EXISTING BUZZ BINGO BUILDING AND ERECTION OF A FIVE-STOREY MIXED-USE BUILDING COMPRISING 2 COMMERCIAL /COMMUNITY UNITS (FLEXIBLE USE CLASS E / BINGO HALL / USE CLASS F1) AND 47 SELF-CONTAINED RESIDENTIAL UNITS (USE CLASS C3), WITH ROOFTOP PV PANELS, AND CYCLE AND BIN STORES. REDEVELOPMENT OF EXISTING CAR PARK TO ACCOMMODATE THE ERECTION OF A TERRACE OF SIX THREE-STOREY HOUSES WITH PRIVATE GARDENS, AND CAR PARKING SPACES.

Location of Development
GALA BINGO ROWLANDS ROAD WORTHING WEST SUSSEX BN11 3JS

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 22nd October 2024.

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

G Peck

Gary Peck
Head of Planning & Development
07/11/2025

Ref: AWDM/1331/24

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 ELEVATIONS	2227-PA-014F	14.10.2025
VIABILITY REVIEW	DSP24407AQ	03.02.2025
PROPOSED ROW HOUSING SITE PLAN	2227-PA-015 A	30.04.2025
PROPOSED ROW HOUSING ROOF PLAN & ELEVATIONS	2227-PA-016 A	30.04.2025
PROPOSED FLOOR PLANS OF PROPOSED ROW HOUSING	2227-PA-017 A	30.04.2025
INDICATIVE LANDSCAPE PLAN & EAST BOUNDARY ELEVATION	2227-PA-018 A	30.04.2025
MARKETING LETTER - OAKLEY		17.04.2025
DAYLIGHT & SUNLIGHT REPORT 6547	APRIL 2025	11.04.2025
ENERGY, SUSTAINABILITY & VENTILATION STATEMENT	APRIL 2025	11.04.2025
OVERHEATING ASSESSMENT	TM59 - SEPTEMBER 2024	11.04.2025
FRA & DRAINAGE STRATEGY REPORT	1chbuz/2404069 FINAL B	11.04.2025
PRELIMINARY GROUND CONTAMINATION RISK ASSESSMENT REPORT	R16207 ISSUE 3	11.04.2025
SURFACE WATER FLOOD RISK MAP	2404069-9004 P01	16.04.2025
SEQUENTIAL TEST ASSESSMENT		16.04.2025
SEQUENTIAL SITE AVAILABILITY REPORT - OAKLEY		16.04.2025
STRUCTURAL CONDITION REVIEW		11.04.2025
TRANSPORT STATEMENT	chwor2/2404051 REV A	11.04.2025
ECE email re sequential tests		06.05.2025
RESPONSE TO WSCC	chwor2/2404051/PB	06.02.2025

Reference/Drawing Number	Version	Date Rec
OVERVIEW PLAN	2404051-02A	05.02.2025
PROPOSED HIGHWAY IMPROVEMENTS	2404051-03A	05.02.2025
PROPOSED HIGHWAY IMPROVEMENTS	2404051-05	05.02.2025
PROPOSED GROUND & FIRST FLOOR PLANS IN CONTEXT & BLOCK PLAN	2227-PA-010E	09.06.2025
PROPOSED GROUND, FIRST & SECOND FLOOR PLANS	2227-PA-011D	09.06.2025
PROPOSED THIRD, FOURTH & FIFTH FLOOR & ROOF PLANS	2227-PA-012D	09.06.2025
PRELIMINARY DESIGN & ACCESS STATEMENT	2227 REV A	09.06.2025
EXISTING PLANS	2227-EX-001	22.10.2024
EXISTING SITE LOCATION PLAN & ELEVATIONS	2227-EX-002	22.10.2024
ECOLOGICAL TECHNICAL NOTE	CSA/7075/01	22.10.2024
BNG EXEMPTION STATEMENT	CSA/7075/03	22.10.2024
VIABILITY SUMMARY	PARTS 1 - 3	22.10.2024
PLANNING, AFFORDABLE HOUSING ECONOMIC DEVELOPMENT STATEMENT	P2127 PL3	22.10.2024
PLANNING NOISE ASSESSMENT	J3838 ISSUE 1	22.10.2024
EXISTING TOPOGRAPHICAL SURVEY	24025-02-T-E	22.10.2024
STATEMENT OF SIGNIFICANCE	PN4227/SoS/1	22.10.2024
HERITAGE STATEMENT	PN4227/HS/1	22.10.2024
STATEMENT OF SIGNIFICANCE	Appendix 1	22.10.2024
HERITAGE STATEMENT	Appendix 1	22.10.2024
TRAVEL PLAN	chwor2/2404051	22.10.2024

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. No development shall take place, including any works of demolition, until a Demolition and 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 method of demolition
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors, o 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,
- 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.

Reason: *In the interests of highway safety and the amenities of the area.*

04. Surface water drainage construction

Prior to the commencement of development except for demolition, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA dated 30th August 2024 and remain in perpetuity for the lifetime of the development. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: *To ensure that the development achieves a high standard of sustainability and to comply with NPPF and policy DM20 in Worthing Local Plan (2023).*

05. Air quality measures

Prior to commencement of development, full details of the air quality mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be equal to the value of £4,663. The development shall be implemented in full accordance with the details thereby approved. A verification report shall be submitted to and approved in writing by the Local Planning Authority on completion of the development to demonstrate and confirm that the air quality mitigation measures thereby approved have been implemented and have achieved mitigation equal to the value identified and in the event that the implemented measures do not equate to a value of £4,663, shall provide further measures to do so and shall implement these following the prior written approval of the Local Planning Authority.

Reason: *To minimise emissions and impact on air quality in accordance with policy DM22 of the Worthing Local Plan and the National Planning Policy Framework 2024.*

06. Record survey

Prior to demolition, a visual heritage record of the building shall be carried out and submitted to the Local Planning Authority for approval in writing. The Record survey shall be carried out to Historic England Level 3 standard. As part of the survey the Local Planning Authority shall be given the opportunity to inspect the building to assess whether any elements of the interior can be salvaged. Any items that can be salvaged shall be safely removed and made available to the Council, and Worthing Museum, or reused on site in accordance with details which shall first be approved in writing by the Local Planning Authority.

Reason: *To retain a record of the building in accordance with policy DM24 of the Worthing Local Plan (2023).*

07. Material details

Prior to commencement of any works above slab level, the following shall be submitted to and approved in writing by the Local Planning Authority:
i) details and samples of all materials to be used on all external faces of the buildings hereby approved, including windows, doors, roofs, balconies and balustrades, boundary treatments, colours and finishes,
ii) large scale drawings (typically 1:20 scale) and cross sections where necessary of details including windows and doors, balconies and balustrades / rails, roof intersections, soffits and eaves, rainwater goods and decorative brickwork and features.

Development shall be carried out only in accordance with the details thereby approved and retained as such for the lifetime of the development.

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 & DM24 of the Worthing Local Plan 2023 and the NPPF 2024.*

08. Sustainable drainage management

The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation,
II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity.

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with policy DM20 in Worthing Local Plan (2023).*

09. Rainwater harvesting

Prior to the commencement of development, details of the rainwater harvesting system including measures to prevent contamination of the water supply and any discharge to public sewers shall be submitted to and approved by the Local Planning Authority. Prior to occupation of the development, maintenance responsibilities and regimes for the rainwater harvesting system shall be submitted to and approved by the Local Planning Authority in consultation with Southern Water. The details thus approved shall be installed in full and retained and maintained for the lifetime of the development.

Reason: *To protect against flooding in accordance with policy DM20 in Worthing Local Plan (2023).*

10. Noise assessment

Prior to above ground works, a further noise assessment of the Co-op refrigeration plant shall be undertaken and the results submitted to the local planning authority for approval in writing. The assessment shall have regard to the principles of BS 4142:2014+A1:2019 and BS8233:2014. Following approval of the noise assessment, a scheme for noise mitigation measures deemed necessary to protect against noise shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works. Once approved the mitigation measures shall be implemented in full and retained as such for the lifetime of the development.

Reason: *To protect residents from noise nuisance in accordance with policies DM22 of the Worthing Local Plan (2023).*

11. Sound insulation

Prior to commencement of any works, other than demolition, details of:

i) construction and insulation to minimise risk of noise and vibration between floors, walls and adjoining spaces within the development with particular attention paid to the separation between residential and commercial spaces and between residential and bin and bike stores; and
ii) any acoustic glazing and ventilation (based upon an overheating assessment), shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented and permanently retained.

Reason: *To safeguard neighbouring amenities in accordance with policies DM5 and DM22 of the Worthing Local Plan 2023.*

12. Revised sightlines document

Prior to above ground works, a revised sightlines document setting out the views from all bedrooms, living rooms and balconies shall be submitted to and approved by the Local Planning Authority. The document shall identify all surrounding residential windows and shall be used to inform additional obscure glazing required within the approved units (noting that the approved elevations show the minimum number of windows and balcony screens that will be obscure glazed). The document shall include plans to show which windows shall be obscure glazed (of at least Level 3 obscuration) in full or in part and whether these are un-openable in part or in full. Prior to occupation all obscure glazing shall be installed and shall be retained with this obscure glazing for the lifetime of the development.

Reason: *In the interests of residential amenity in accordance with policy DM2 of the Worthing Local Plan (2023).*

13. Cycle parking

Prior to above ground works, plans, sections and details of covered and secure cycle parking spaces (to include gas assistance to upper racks) shall be provided and approved by the Local Planning Authority. Once approved the spaces shall be installed in full prior to occupation and retained for the lifetime of the development.

Reason: *To provide alternative travel options to the use of the car in accordance with policy DM20 of the Worthing Local Plan (2023).*

14. Refuse storage and collection

Prior to above ground works, full details of the refuse and recycling stores and a collection strategy shall be submitted to and approved in writing by the Local Planning Authority. Once approved the stores and strategy shall be implemented in full and then kept permanently available and maintained for these purposes.

Reason: *In the interests of amenity in accordance with policy DM5 of the Worthing Local Plan 2023.*

15. Photovoltaic panels and energy statement

Prior to above ground works, a specification for the proposed solar PV array and an energy statement demonstrating that at least 10% of the predicted total energy requirements of the proposed development (after CO2 reductions from energy efficiency measures) will be met by renewable and low carbon energy production equipment shall be submitted to and approved in writing by the Local Planning Authority. The details shall include site sections to demonstrate that the PV panels are hidden from view as far as possible. Thereafter the agreed specification and renewable and low carbon energy production equipment shall be implemented prior to first occupation of the development and retained for the lifetime of the development.

Reason: *To maximise and promote renewable and low carbon energy development and in the interests of protecting the conservation area in accordance with policies DM17 and DM24 of the Worthing Local Plan (2023).*

16. SuDS verification

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 4. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and DM20 in Worthing Local Plan.*

17. Test confirming sound insulation has been installed.

Prior to occupation and after installation and completion of the sound insulation scheme required under condition 11, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise. In the event that the measures are not sufficiently effective, further sound attenuation shall be undertaken in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. In the event this is the case these details shall be installed in full prior to occupation and retained for the lifetime of the development.

Reason: *To safeguard the amenities of neighbouring and proposed residential occupiers and to comply with policies DM5 and DM22 of the Worthing Local Plan (2023).*

18. Hard and soft landscaping

Prior to above ground development, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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. The approved details of landscaping shall be completed prior to occupation of the building(s) and retained for the lifetime of the development.

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

19. Car park management plan

Prior to above ground development, a car park management plan which shall include the allocation of spaces to units, marking out of accessible spaces and electric vehicle chargers, shall be submitted to and approved in writing by the Local Planning Authority. The units shall not be occupied until the parking and associated turning space serving them have been provided and shall thereafter be permanently retained for their identified purposes.

Reason: *To ensure the car park is adequately managed and to provide for electric vehicle charging in accordance with policy DM15 of the Worthing Local Plan (2023).*

20. External antenna

Prior to the occupation of the development, details of any external aerial/antenna and / or satellite dish (if any) for that building, shall first be submitted to and approved by the Local Planning Authority. Thereafter no other external aerial/antenna or satellite dish shall be installed on any building in areas which are visible from outside the site.

Reason: *To avoid multiple aerial / antenna and / or satellite dishes, in order to safeguard the appearance of the development in accordance with policies DM5 and DM24 of the Worthing Local Plan (2023).*

21. EPC rating and SAP calculations

Prior to first occupation of the development the following shall be submitted to and approved in writing by the Local Planning Authority:
i) a build stage SAP calculation report demonstrating that the thermal performance levels of the proposed dwellings shall meet or exceed the requirements under Part L of the Building Regulations (2021)
ii) evidence that the dwelling has achieved a minimum B rating Energy Performance Certificate (EPC)

Reason: *In the interests of sustainable development and to comply with policies DM16 and DM17 of the Worthing Local Plan.*

22. Obscure glazing

Prior to occupation of any unit, the obscure glazing and balcony screens shown on the approved elevations shall be installed in full, including any additional obscure glazing or screens approved pursuant to the Revised Sightlines Document under condition 12 above. Obscure glazing and screens shall be a minimum of Level 3 obscuration and each window shown as obscure glazed shall be permanently non-openable below 1.7m above finished floor level. The balcony screens and obscure glazing shall be permanently retained and maintained in accordance with the details thereby approved.

Reason: *To safeguard neighbouring amenities and privacy in accordance with policy DM5 of the Worthing Local Plan 2023.*

23. Green infrastructure delivery

Prior to occupation, full details of the green infrastructure to be incorporated on site to achieve environmental net gain shall be submitted and approved in writing by the Local Planning Authority. The details shall include how the development meets the requirements of policy DM19. Once approved the details shall be installed in full and retained for the lifetime of the development.

Reason: *To provide green infrastructure and biodiversity on site in accordance with policy DM19 of the Local Plan (2023).*

24. Water certification

Prior to occupation, written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, confirming the installation of water goods and fixtures achieves a target of <105L/Person usage/day. The verification document shall include proposed and timetabled remedial measures if these targets have not been met and, the remedial measures thereby approved shall be implemented in accordance with that timetable.

Reason: *To ensure efficient and renewable energy provision and sustainable construction in accordance with policy DM21 of the Worthing Local Plan (2023).*

25. Highways improvements

No part of the development shall be first occupied until such time as the footway/kerb reinstatement on Rowlands Road and off-site highway improvements (uncontrolled crossings) serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Highway Improvements Rowlands Road (2404051-05) and Overview Plan (2404051-02 A).

Reason: *In the interests of road safety in accordance with policy DM15 of the Worthing Local Plan (2023).*

26. BREEAM certification Compliance

The development hereby permitted shall not be occupied unless and until a BREEAM Design State Certificate and a BRE-issued Post-Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Very Good' has been submitted to the Local Planning Authority.

Reason: *To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework and policy DM17 of the Worthing Local Plan.*

27. Foul sewerage disposal

Construction of the development shall not commence 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. The proposed drainage system shall be designed and constructed to prevent the ingress of flood water into the sewerage network. Once approved the details shall be installed in full and maintained and retained for the lifetime of the development.

Reason: *To protect the network from flooding in accordance with policy DM20 of the Worthing Local Plan (2023).*

28. Flood risk assessment

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 30th August 2024), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: *To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and DM20 in Worthing Local Plan.*

29. Hours of works

No construction work relating to the development, or operational or construction vehicles, shall be undertaken or operated on the site except between the hours of: 08.00 and 18.00 on Mondays to Friday and between the hours of 09.00 and 13.00 on Saturday and not at any time on Sundays or Public Holidays.

Reason: *In the interests of neighbouring amenity in accordance with policy DM5 of the Worthing Local Plan 2023.*

30. Permitted use classes

The ground floor units shall be used only for Use Class E (a to c, e to f only), bingo hall (Sui Generis) or Use Class F1 of the Schedule to 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). None of these ground floor units shall be converted to residential use, notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, (or any Order revoking or re-enacting that Order).

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

31. Air source heat pumps

Prior to above ground works, details of the proposed Air Source Heat Pumps shall be submitted to the Local Planning Authority for approval. This shall show that the installation of the heat pumps complies with the Chartered Institute of Environmental Health and Institute of Acoustic's guidance: 'Heat Pumps, Professional Advice note.' The report shall outline that the rating level from the ASHP shall not exceed 35dBLAeq15min at any noise sensitive façade of a neighbouring residential premises. If it is not practical to achieve this value and the local context supports a relaxation, then a report providing a full justification as to why such a relaxation in rating level is required, shall be submitted in writing to the Local Authority for approval. Only where such justification has been agreed in writing by the Local Planning Authority shall the rating level from the ASHP exceed 35dBLAeq15min at any noise sensitive facade of a neighbouring residential property.

Reason: *To safeguard residential amenity in accordance with policy DM5 of the Worthing Local Plan.*

32. Removal of PD rights for houses

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), the terrace of six houses shall not be extended or altered externally in any way (including the insertion of any additional window or other such opening be inserted at first floor level or above in the east (rear) elevation), nor shall any incidental building erected.

Reason: *In the interests of amenity and the environment and to comply with policies DM2 and DM5 of the Worthing Local Plan (2023).*

33. Obscure glazing in Type 2 building

The first floor stairwell window on the east elevation of Type 2 building shall be permanently glazed with obscure glazing (which shall not be less than Level 3), and fixed and un-openable up to 1.7m above finished floor level.

Reason: *To safeguard the privacy of neighbours in accordance with policies DM2 and DM5 of the Worthing Local Plan 2023.*

34. M4(2): Accessible and adaptable dwellings

All flats within the development hereby approved shall be completed in compliance with Building Regulations Approved Document Part M4 (2) 'Accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

Reason: *To ensure that the development is adequately accessible for future occupiers in accordance with policy DM1 of the Worthing Local Plan 2023.*

35. Reconstructed facade to be provided

The facade facing Rowlands Road shall be fully completed in full accordance with the approved plans prior to the occupation of any unit on the site.

Reason: *To ensure the facade is reconstructed as a benefit of the scheme in accordance with policies DM5 and DM24 of the Worthing Local Plan (2023).*

36. Pre demolition commitment to redevelopment

Demolition works shall not be commenced before a contract for the carrying out of the redevelopment works, the subject of this permission, has been entered into and a timetable for redevelopment has been submitted to and approved in writing by the Local Planning Authority. Following demolition, unless otherwise agreed in writing by the Local Planning Authority, construction works shall proceed in broad accordance with the submitted development timetable.

Reason: *To safeguard the appearance and amenities of the site and its surroundings, including the conservation area, including minimising the period between demolition and redevelopment of the site in accordance with policies DM5 and DM24 of the Worthing Local Plan (2023).*

37. Tree protection

No development, including site works of any description, shall take place on the site unless and until the existing trees on the site have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the local planning authority and shall include any proposal for pruning or other preventative works.
Within the areas so protected the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without the prior written approval of the Local Planning Authority.

Reason: *To protect the trees from damage and to comply with policy 19 of the Worthing Local Plan 2023.*

38. Community marketing strategy

i) Prior to first occupation of the community / commercial spaces, a marketing strategy shall be submitted to and approved in writing by the Local Planning Authority which shall include the marketing of the space for a period of not less than six months (which shall include a period of at least 3 months following the substantial completion of the space), for the following uses under the specified Classes of the Schedule to 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) or bingo hall (Sui Generis)

Class F1: Learning and non-residential institutions
Class F2 (b): Halls or meeting places for the principal use of the local community
Class E (e & f): medical or health services creche, day nursery or day centre
Once the strategy is approved the development shall be marketed in complete accordance with the details thus approved.

ii) Following the completion of the period of marketing, either the space shall be used for a use within the Classes in i) above or as a bingo hall or otherwise the applicant shall submit to the Local Planning Authority the results of the marketing of the space to demonstrate that no user has been found, following full execution of the marketing strategy. The space may then also be used for other purposes within Class E a-c following the written agreement of the Local Planning Authority.

Reason: *To support the provision of a community use in the development hereby approved in part replacement for the existing use of the site, in accordance with Policy DM8 of the Worthing Local Plan 2023.*

39. Demolition - bird nesting season

No demolition shall be undertaken outside the bird nesting season from 1st March to 30th August of any year, unless the site has been checked for birds by a qualified ecologist with the results to be submitted to and approved in writing by the Local Planning Authority.

Reason: *To protect wildlife in accordance with policy DM18 of the Worthing Local Plan (2023).*

40. Bird and bat boxes

Bat and bird boxes, as specified within the approved Ecological Technical Note shall be installed in full prior to first occupation of any dwelling hereby permitted. The boxes shall be installed in accordance with manufacturer's instructions and thereafter be maintained as such for the lifetime of the development.

Reason: *In the interests of enhancing biodiversity in accordance with policy DM18 of the Worthing Local Plan (2023).*

41. Substation

Prior to commencement of development, details regarding the relationship of the development to the UK Power networks substation shall be submitted to and approved in writing by the Local Planning Authority. Details shall include whether it is to be removed and if it is not, details of how the developer will control any adverse impact it causes in order to minimise the risk of nuisance from noise or vibration. Once approved the details shall be implemented in full prior to occupation and retained for the lifetime of the development.

Reason: *In the interests of amenity of future occupiers in accordance with policy DM5 of the Worthing Local Plan (2023).*

Informatives / Notes to Applicant

01. If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

Further details about working in proximity to substations are outlined in their consultation response to this application available on the planning register and dated 31/10/2024

02. The applicant is advised that this decision is subject to the agreed and signed legal agreement.

03. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

04. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner, including Worthing Bridge Club. Further information can be found at:

https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

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. 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

07. 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.

08. The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property. As this is being redeveloped to residential, the Council need to be satisfied that if any asbestos is present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register - and any remedial strategy where appropriate - should be provided prior to works commencing.

Ref: AWDM/1331/24

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

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).