Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1014/FULL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER 1995

Nathaniel Lichfield And Partners
14 Regents Wharf
All Saints Street
London N1 9RL

PROPOSAL: Installation of one condenser unit and three air conditioning units within proposed service yard enclosure.

LOCATION : 104 Goring Way Worthing

DATE REGISTERED 24th September 2007

APPLICANT : Tesco Stores Limited

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 7731-LR-LOC, 7731-311, 7731-312, 7731-310, 731-102 Rev.C, 7731-105 Rev.C, 7731-300 Rev.C, 7731-301 Rev.C, 7731-302 Rev.C and GORGPG10, which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

cont.....

Dated : 13th November 2007

Assistant Director (Planning Services)

Note: Your attention is drawn to the notes and information overleaf.

2. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be implemented between the hours of 8.00 a.m. and 6.00 p.m. inclusive.

   Reason: To safeguard the amenities of the occupiers of neighbouring properties.

3. The air conditioning plant shall operate only between the hours of 0630 and 2300 hours and at no other time, except with the prior written agreement of the Local Planning Authority.

   Reason: To safeguard the amenities of neighbouring properties

4. The level of noise emitted from the fixed plant and machinery hereby approved shall not exceed 40 dB (expressed as a continuous equivalent sound pressure level, LAeq) during any 5 minute period between 0630 hours and 2300 hours and shall not exceed 25 dB (expressed as an LAeq) during any 5 minute period between 2300 hours and 0630 hours, as measured at any position on the north boundary of the application site, in accordance with guidance contained in BS 4142 : 1997.

   Reason: To safeguard the amenities of neighbouring properties

5. Details of the density of the Grisellinia littoralis hedge planting along the western boundary of the site, adjacent to Ardingly Drive, as shown on the revised submitted plan, shall be agreed in writing with the Local Planning Authority prior to the installation of the condenser unit and the three air conditioning units hereby permitted. Thereafter, the hedge planting shall be carried out fully in accordance with the agreed details.

   Following the completion of the hedge planting, in the event that any such planting dies or becomes seriously damaged or diseased it shall be replaced by similar hedge planting during the next planting season.

   Reason: To safeguard the visual amenities of the area.

6. This permission relates to the amended plans received on the 13th November 2007 and not to the plans originally submitted.

   Reason: For the avoidance of doubt and because the scheme, as originally submitted, was unacceptable to the Local Planning Authority.

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Informatives

1. The Development Control Committee was mindful of the concerns raised by local residents. However, only the specific external changes requiring planning permission could be considered since the proposal does not represent a change of use under the above Act. The Committee considered that the proposed external changes and plant would not have any significant adverse impact upon the character and appearance of the area, highway safety or residential amenity, subject to the conditions imposed.

2. The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Worthing Local Plan 2003 and the West Sussex Structure Plan 2001 – 2016 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

   Saved Worthing Local Plan 2003

   BE1 - Design Quality
   H18 - Amenity of Residents

   Saved West Sussex Structure Plan 2001 – 2016

   CH1 - Character
   DEV1 - High quality development

This information is only intended as a summary of the reasons for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Reception at Portland House, Richmond Road, Worthing.