WORTHING BOROUGH COUNCIL

David Williams
The Planning Bureau Ltd
1 Embankment Way
Ringwood
BH24 1EU

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0786/23

Details of Development
ERECTION OF PART THREE, PART FOUR STOREY BLOCK OF EXTRA CARE APARTMENTS ON NORTHERN LAND-PARCEL OF FORMER HMRC SITE, WITH ASSOCIATED RESIDENTS LOUNGE, RESTAURANT, WELLBEING ROOM, VISITORS ACCOMMODATION, STAFF ACCOMMODATION AND COMMUNAL ELECTRIC BUGGY STORE AND INTERNAL REFUSE AREA. VEHICULAR ACCESS VIA INTERNAL ESTATE ROAD, CAR PARKING WITH ELECTRIC CHARGING POINTS, SUB-STATION AND LANDSCAPING. (AMENDED REPLANTING FOR NORTHERN BOUNDARY - APRIL 2024)

Location of Development
SITE OF FORMER HM REVENUES AND CUSTOMS AND LAND SOUTH OF HM REVENUES AND CUSTOMS BARRINGTON 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 14th June 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
20/08/2024

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
DETAILED PLANTING PROPOSALS	MCS759/Drg 05 C3	14.06.2024
DIAGRAMMATIC ELEVATION OF NORTH BOUNDARY TREES	MCS759/Sk2 024 02 29 RevD	14.06.2024
DETAILED PLANTING PROPOSALS	MCS759/Drg 06 C3	14.06.2024
FIRE STRATEGY - SITE	SO-2870-05-AC-0504 C01	02.07.2024
JACOUSTIC HIGHWAY FENCE 3M HIGH	J7/01047 SHEET 3	02.07.2024
SECTION A12	SO-2870-05-AC-0407 CO1	02.07.2024
TYPICAL FEATURE BALCONY	76432-501 REV C6	02.07.2024
DRAINAGE DESIGN PLAN 2 OF 6	DR-C-2102 C5	03.07.2024
DRAINAGE STRATEGY LAYOUT	SO-2870-05-CE-0500-C02	03.07.2024
EXTERNAL WORKS CONSTRUCTION DETAILS	SO-2870-05-CE-0610-C02	03.07.2024

Reference/Drawing Number	Version	Date Rec
EXCEEDANCE FLOW LAYOUT	SO-2870-05-CE-0505-P01	03.07.2024
SITE PLAN	SO-2870-03-AC-0100 P11	15.07.2024
FIRST FLOOR PLAN	DR-A-0201 P10	05.09.2023
JAKOUSTIC FENCING SYSTEM	Drg J7/01043	12.02.2024
MATERIALS VISUALISATION	SO-2870-04-AC-3002 P03	12.02.2024
LANDSCAPING MATERIALS	SO-2870-04-AC-3003 P01	12.02.2024
LANDSCAPE MANAGEMENT PLAN & MAINTENANCE SPECIFICATION December 2023	SO-2870-04-LA-MCS759 A	12.02.2024
SPECIFICATION FOR SOFT LANDSCAPE WORKS	SO-2870-04-LA-MCS759	12.02.2024
HARD LANDSCAPE GA 1of2 - West	CS759/Drg02 P5	12.02.2024
HARD LANDSCAPE GA 2of2 - East	CS759/Drg03 P4	12.02.2024
EXTERNAL LIGHTING PLAN V10.4	SO-2870-04-ME-001	12.02.2024
TIMBER PERGOLA	MCS GEN/CD 06-09	12.02.2024
JULIET BALCONY	2870-DR-AC-2102 Rev C01	12.02.2024

Reference/Drawing Number	Version	Date Rec
WINDOW JAMB IN BRICKWORK	2870-04-AC-2104 Rev C01	12.02.2024
FEATURE BALCONY PLAN DETAILS	2870-04-AC-2106 Rev C03	12.02.2024
FEATURE BALCONY SECTION DETAIL	2870-04-AC-2107 Rev C04	12.02.2024
FEATURE ENTRANCE BALCONY SECTION DETAIL	2870-04-AC-2108 Rev C04	12.02.2024
FEATURE BALCONY FULL HEIGHT SECTION	2870-04-AC-2109 Rev C01	12.02.2024
FULL HEIGHT WINDOW CILL & HEAD DETAIL	2870-04-AC-2112 Rev C01	12.02.2024
FREESTANDING BALCONY SECTION	2870-04-AC-2113 Rev C01	12.02.2024
GROUND FLOOR CILL DETAIL	2870-04-AC-2005 Rev C03	12.02.2024
SITE LOCATION PLAN	DR-A-0110 P04	14.06.2023
SUBSTATION PLANS & ELEVATIONS	DR-A-0120 P02	05.09.2023
GROUND FLOOR PLAN	DR-A-0200 P12	05.09.2023

Reference/Drawing Number	Version	Date Rec
FIRST FLOOR PLAN	DR-A-0201 P10	05.09.2023
SECOND FLOOR PLAN	DR-A-0202 P10	05.09.2023
THIRD FLOOR PLAN	DR-A-0203 P11	05.09.2023
ROOF PLAN	DR-AC-0204 P09	05.09.2023
ELEVATIONS E-01 & E-02	DR-AC-0300 P07	05.09.2023
ELEVATIONS E-03 & E-04	DR-AC-0301 P07	05.09.2023

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. Occupancy Age and Number of Apartments

The development hereby approved shall comprise retirement accommodation comprising up to 63no. apartments only and shall not be occupied by any persons under the age of 70 years old other than spouses and partners.

Reason: *The retirement accommodation is purpose built as such and to ensure parking supply meets parking demand and sustainable transport requirements, infrastructure and open space Policies DM7, DM9, & DM15 of the Worthing Borough Local Plan 2020 - 2036 and the WSCC Guidance on Parking at New Developments, 2020.*

04. Materials

The materials to be used in the external elevations of the building hereby approved shall accord with the Materials Visualisation document SO-2870-04-AC-3002 REV P03 unless the Local Planning Authority gives prior written approval for any variation.

Reason: *In the interests of visual amenity and to comply with policy DM5 of the Worthing Borough Local Plan 2020 - 2036 and NPPF, 2023.*

05. Obscure Glazing and Screening

i) The building hereby permitted shall not be occupied until obscure glazing has been installed in all kitchen and hallway windows at first floor level and above in the northern elevation of the northern wing of the building and these windows shall be permanently fixed and openable, (other than kitchen windows which may open above 1.7m above internal floor level), in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority so as to minimise risk of overlooking of neighbours to the north, and

ii) Apartments 27, 28, 45 and 46 shall not be occupied until obscure glazing has been installed in secondary lounge/diner/sitting room windows and the intervening shared hallway windows between these apartments at first floor level and above in the western elevation. These windows shall be permanently fixed and openable up to a height of at least 1.7m above internal floor level in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority so as to minimise risk of overlooking of neighbours to the north, and

iii) Apartments 14, 15, 32, 33, 50 and 51 shall not be occupied until balcony screens for the northern sides of their respective balconies have been installed in accordance with drawing 80232 - 501 - REV A - TYPICAL END PRIVACY DETAIL so as to minimise risk of overlooking of neighbours to the north.

All obscure glazing and screens in i) - iii) above shall provide a degree of obscuration equivalent to Pilkington 4 or similar index and this requirement shall apply notwithstanding any information submitted in the current application. The screens and obscure glazing and balcony shall be permanently retained and maintained in accordance with the details approved under this condition. This condition shall apply notwithstanding any information contained in the current application.

Reason: *To safeguard neighbouring amenities and privacy in accordance with policy DM5 of the Worthing Local Plan 2020 - 2036.*

06. Biodiversity

Unless otherwise approved in writing by the Local Planning Authority no dwelling shall be first occupied unless and until the ecological mitigations and enhancements listed in Sections 6-9 of the Ecological Impact Assessment (Ref: 5721) by Abbas Ecology (dated Dec 2022) have been implemented on the site.

Reason: *To enhance the ecology of the site and secure gain in biodiversity in accordance with DM18 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

07. Landscaping and Trees, including Maintenance

a) Within 3 months of commencement of development works a detailed landscaping scheme of soft and hard landscaping, in conformity with the submitted Landscape Proposals DrawingMCS759/Drg01 P3 which shall include details including size and species of not less than 25no. new trees to be planted (including trees which are advanced heavy standard or larger), and sizes and densities of other planting, shall be submitted to and approved by the Local Planning Authority.

b) Within 3 months of commencement of development works a detailed scheme of site preparation to enable effective establishment of new planting and long-term aftercare, including trees and future tree pruning regime to shall be submitted to and approved by the Local Planning Authority.

c) Development shall only be carried out and occupied in accordance with the details approved under a) & b) above and shall be permanently adhered to The approved details of hard landscaping shall be completed prior to occupation of the building and all planting shall be completed during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

d) Any trees or plants comprising part of a) - c) above, 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.

Reason: *To ensure a well landscaped development in the interests of amenities and biodiversity and to ensure maintenance, including new trees and their effectiveness in screening to the northern boundary in accordance with Policies DM5, DM6, DM9, DM18 and DM19 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

08. Levels

Notwithstanding any information contained in this current application whatsoever, details of existing and proposed site and slab levels shall be submitted to and approved in writing to the Local planning Authority within one month of the date of this planning permission, or before any works take place above existing ground level, whichever is the sooner. The development shall proceed only in accordance with the details thereby approved and there shall be no other increase in levels thereafter unless approved in writing by the Local Planning Authority.

Reason: *In the interests of clarify and to ensure an appropriate form of development.*

09. Means of Enclosure

Prior to occupation of the development hereby approved all boundary and screen walls and/or fences, (including the acoustic fence) and any gates and bollards approved under Condition 1 above, shall be erected and they shall thereafter be retained permanently.

Reason: *In the interests of amenity in accordance with Policies DM5, and DM6 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

10. Recycling and Waste

Prior to occupation of the development hereby approved all facilities for storing refuse and waste, including for waste that can be recycled, shall be provided in accordance with details approved under Condition 1 above, or any other details subsequently approved in writing by the Local Planning Authority. These shall thereafter be retained and used only for the storage of refuse and recycling waste.

Reason: *To ensure adequate waste management infrastructure in accordance with Policies DM9 and DM16, of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

11. External Lighting

External lighting to be fixed or fitted to the building and/or installed within the grounds shall accord with details approved under Condition 1 above unless the Local Planning Authority gives written approval for any other details.

Reason: *In the interests of residential amenity and security and to manage impacts on biodiversity in accordance with Policies DM5 & DM18 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

12. Sustainability & Energy

a) The development hereby approved shall incorporate the following sustainable energy and heat management measures, in accordance with the Energy & Sustainability Statement by Focus Ltd. May 2023 to include:

i) Targets and calculations for CO2 and Energy efficiencies
ii) Energy efficient building fabric,
iii) LED internal and external lighting,
iv) Provision of Air Source Heat Pumps and associated space and water heating systems,
iv) Provision of solar panels to satisfy at least 10% of the development's energy demand
v) Mechanical Ventilation with Heat Recovery System (MVHR), with summer bypass
vi) Efficient water goods and fixtures to achieve less than 110L per Person per day.
vii) Provisions to minimise risk of overheating and consequent associated energy usage.

The development shall be implemented and maintained in accordance with the details thereby approved, including the updated calculations, unless the Local Planning Authority gives prior written approval for any variation.

b) Written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, within 6 months of the first occupation of the development, (or such other time as shall first be agreed in writing by the Local Planning Authority), to confirm that these measures have achieved the target CO2 reduction below the baseline model including renewable energy, as identified in the submitted Energy & Sustainability Statement, (and that overheating management has not diminished this target CO2 reduction), and confirming the installation of water goods and fixtures to achieve a target of less than 110L per Person usage per day. The verification document shall include any proposed and timetabled remedial measures if these targets have not been met, in which event the remedial measures thereby approved shall then be implemented in accordance with that timetable.

Reason: *In the interests of clarity, to ensure the submission of an updated Strategy for approval and to ensure that the development is sustainable and makes efficient use of energy, water and materials to achieve CO2 reductions in accordance with policies 16 & 17 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

13. Access

No part of the development shall be first occupied until such time as the vehicular accesses serving the development have been constructed and made available for use in accordance with the details shown on:

i) the Site Plan Drawing SO-2870-S3-AC-0100 (to the northern land parcel containing the apartment building hereby approved) and

ii) drawings 3579 SK001A; CA3579 SK002A by Caneparo Associates, at the junction with Barrington Road, which were approved under the previous outline permission AWDM/1979/19 dated 30th April 2021, (or suitable alternatives if first submitted to and agreed in writing with the Local Planning Authority, in consultation with the Highway Authority)

Reason: *In the interests of highway safety and to ensure completion of adequate access to the site from the public highway.*

14. Site Management

Prior to occupation of the development hereby approved, a site management plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of maintenance and management within the site, including the access road to Barrington Road of any roads, paths, public realm and open spaces (including their relationship to the maintenance and management of drainage as approved under condition 20 of this permission and any contractual arrangements with any other owner). Upon occupation of the development the owner or management company shall strictly adhere permanently to the approved site management plan.

Reason: *To ensure the development and supporting infrastructure is satisfactorily drained and managed. In accordance with policies DM5, DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

15. Car and Cycle Parking

No part of the development shall be first occupied until the car and secure cycle parking has been constructed in accordance with the approved site and floor plans, including the provision of electric charging points and cabling to all parking spaces. These spaces and secure cycle parking shall thereafter be retained at all times for their designated use.

Reason: *To provide car and cycle parking space in accordance with policy 15 of the Worthing Local Plan 2020-2036.*

16. Travel Plan

No part of the development shall be first occupied until such time as:

i) The approved Travel Plan Statement by Paul Basham Consultants ref : 034.0154/TPS/1 has been implemented, and
ii) A Travel Plan co-ordinator has been appointed and has been notified to the Country Highway Authority, and
iii) The Travel Plan monitoring fee (which is required under the s.106 Legal Agreement attached to this planning permission), has been paid

The Travel Plan at i) above shall be implemented immediately upon occupation of the development and the Travel Plan Co-ordinator shall continue to liaise with the County Highway in the ongoing implementation of the travel plan and measures therein

Reason: *To promote sustainable modes of transport in policy 15 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

17. Foul Drainage

Prior to occupation of the development hereby approved means of foul sewerage and surface water disposal shall be fully implemented in accordance with the following:

Drainage and Flood Risk Statement 303941 Rev 04 15/08/23,
SO-2870-05-CE-0500 Drainage Strategy Layout C02.

Reason: *To ensure the development is satisfactorily drained. In accordance with policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

18. Drainage - Surface Water, also Control of Infiltration / Pollution.

Prior to the commencement of development, 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, Drainage Strategy Layout by Scott, White and Hookins, 22.03.2024, rev C02 and Drainage and Flood Risk Assessment Statement by Scott, White and Hookins, 06.02.2024 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: *To ensure the development is satisfactorily drained and to safeguard against risks of pollution controlled waters if infiltration is inappropriately used or designed. To accord with policies DM9 & DM20, DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

19. Drainage - As Built Details

Upon completion of the surface water drainage system, including any Sustainable Drainage (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 1. 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 development is satisfactorily drained and managed. In accordance with policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

20. 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 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. 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.

Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the management and maintenance plan approved under this condition.

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 policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

21. Piling - Approval of Method / Groundwater Protection

Piling works and use of penetrative methods shall only be carried out in full accordance with the Piling Risk Assessment by Ridge Consultants 5th July 2024 (Ref: 5021508-RDG-XX-ST-DOC-C-00PRA01)

Reason: *To ensure the development is satisfactorily drained and to safeguard against risks of pollution controlled waters if infiltration is inappropriately used or designed. To accord with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

22. Remediation - Method

Development shall only be undertaken in full accordance with the Remediation Strategy by Soiltechnics February 2023 (reference: STV5959-R01-Rev A). Any changes to this strategy's components shall require the express written consent of the Local Planning Authority.

Reason: *To manage risks from any land contamination and to prevent pollution of groundwater and in the interests of environmental protection and public health and safety, to accord with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

23. Remediation - Verification

Prior to occupation of the development, 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 ensure that the site does not pose a risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

24. Remediation - Precaution

If, during development, contamination not previously identified is found to be present then no further development shall be carried out (unless otherwise agreed in writing by the Local Planning Authority) until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. In accordance with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and paragraph 183 of the NPPF, 2023.*

25. Kitchen Ventilation & Air Moving Equipment

Prior to the use of the main, communal kitchen for cooking:

i) the ventilation system as shown in the drawing reference 193656 by Airedale Ventilation Systems and accompanying Airedale letter 12th January 2024, shall be installed and,

ii) details of maintenance and management of the ventilation system, in order to avoid risk of odour, noise and vibration, shall be submitted to and approved in writing by the Local Planning Authority.

These details shall be adhered to throughout the lifetime of the development unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To minimise the risk of nuisance to residents and neighbours associated with use of the kitchen and catering, in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

26. Kitchen Ventilation - Verification

Within six months of the installation of the ventilation system under condition 24 (i) above, a Verification Report demonstrating completion of the system and its effectiveness in the avoidance of odour, noise and vibration shall be submitted to and approved in writing by the Local Planning Authority. The report shall include details of and a timetable for any remediation or alterations if necessary to address any odour, noise and vibration identified by the Verification Report and any related changes to details of maintenance and management under condition 24 (ii) above. Any such changes and alterations shall be implemented in accordance with the details and timetable approved under this condition and shall be adhered to throughout the lifetime of the development.

Reason: *To minimise the risk of nuisance to residents and neighbours associated with use of the kitchen and catering, in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

27. Other Ventilation and Noise

Construction work shall not progress beyond foundation/slab level until a detailed ventilation plan for the development, as part of the management of noise exposure, has been submitted to and approved by the Local Planning Authority. The internal noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work as well as the units should be

fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Reason: *To provide adequate ventilation as necessitated by acoustic insulation of the development and to safeguard residential and neighbouring amenities in accordance with policies DM5 and DM22 of the Worthing Local Plan 2020-2036.*

28. External Plant

Other than the details referred to in conditions 24 -26 above, no other external fixed plant, or mechanical vent or duct, or external Air Source Heat Pump shall be installed until details including acoustic performance and where relevant, odour management, have been first been submitted to and approved in writing by the Local Planning Authority All plant shall be maintained for its lifetime in accordance with manufacturer's guidance to ensure the levels contained in the aforementioned Acoustic Assessment are not exceeded and any future plant shall also meet the specified levels within the approved scheme.

Reason: *To safeguard neighbouring amenities in accordance with policies DM5 and DM22 of the Worthing Local Plan 2020-2036.*

29. Aerials

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, unless details have first been submitted to and approved by the Local Planning Authority.

Reason: *To avoid multiple aerial / antenna and / or satellite dishes, in order to safeguard the appearance of the development in accordance with policy DM5 of the Worthing Local Plan 2020 - 2036.*

30. Fire Safety

The development hereby approved shall not be occupied until fire hydrants have been provided and shall be fully functioning in accordance with the Fire Strategy SO-2870-05-AC-0504 REV CO1

Reason: *In accordance with policy DM9 of the Worthing Local Plan 2020-2036 and the NPPF, 2023. and in accordance with The Fire & Rescue Service Act 2004.*

31. Delivery Hours - kitchen and catering

Deliveries to or from the kitchen/bistro and/or catering deliveries to or from the site shall only take place between 08:00hrs - 20:00hrs and not at any time outside these hours.

Reason: *To minimise the risk of nuisance to residents and neighbours associated with kitchen and catering deliveries, in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

32. Construction Management Plan

No development shall take place, including any works of dismantling, until a 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:

i) the anticipated number, frequency and types of vehicles used during construction;
ii) the method of access and routing of vehicles during construction;
iii) the parking of vehicles by site operatives and visitors;
iv) the loading and unloading of plant, materials and waste;
v) the storage of plant and materials used in construction of the development;
vi) the erection and maintenance of security hoarding;
vii) 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);
viii) detailed measures for the suppression and management of dust and fumes;
ix) details of public engagement both prior to and during construction works;
x) details of liaison with the adjoining developer in executing planning permission AWDM/0605/22, to ensure a coordinated approach to site management, deliveries and traffic.

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

33. Hours of Work

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 08.30 and 13.00 on Saturday and not at any time on Sundays or Public Holidays.

Reason: *In the interests of highway safety and the amenities of the area and a balance between the protection of local and residential amenities and times of development work in accordance with policies DM5 and DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

Informatives / Notes to Applicant

01. Legal Agreement

This permission is subject to the s.106 Legal Agreement dated 20th August 2024 which includes provisions and contributions for Affordable Housing; Site Management, including drainage; Travel Plan; Car Club and Air Quality Mitigation.

02. Southern Water

Investigations indicate that Southern Water can facilitate foul sewerage run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service:

developerservices.southernwater.co.uk

and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements.

If this is a brownfield site redevelopment, the developer can discharge surface water flow no greater than existing levels if proven to already be connected and it is ensured that there is no overall increase in flows into the surface water system. The developer will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

Under certain circumstances Sustainable Drainage Systems (SuDS) will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

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.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will

preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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

03. West Sussex Fire and Rescue Service

Prior to the first occupation of any extra care apartments forming part of the proposed development the applicant must ensure at their own expense that requisite fire hydrants are installed in the approved location (s) to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service.

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

04. Network Rail

Prior to commencement the developer should engage with the Network Rail Asset Protection and Optimisation team to enable a review of the proposal to ensure that works are completed without any risk to the operational railway. Please contact: AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, and also agree an Asset Protection Agreement with us to enable approval of detailed works.

More information can also be obtained from our website https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/

05. Party Wall Act

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. Further information can be found at:

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

06. West Sussex County Council Highway Authority

i) Works within the Highway - Implementation Team

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover any 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. https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/

ii) Section 59 of the 1980 Highways Act - Extra-ordinary Traffic

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

iii) Temporary Works Required During Construction

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.

iv) Temporary directional signs to major housing developments

The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here: https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview

v) Provision of Adoptable Highway

If it is the intention of the applicant to offer any of the roads and associated highways infrastructure for adoption under S38 of the Highways Act 1980, the applicant should apply to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

vi) Travel Plan

Monitoring of the Travel Plan and liaison with the Highway Authority (West Sussex County Council), is an important element of that Plan. The relevant team at the Highway Authority the Local Transport Improvement Team, County Hall, West Street, Chichester, West Sussex, PO19 1RQ http://www.westsussex.gov.uk/

07. South East Power Networks

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

08. Community Infrastructure Levy (CIL)

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. 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.

Ref: AWDM/0786/23

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).