Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0201/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 three close coupled units and two replacement air conditioning units on roof levels (Pack A, Pack 4, Pack 5 and AHU1 and AHU2) and handrail to perimeters of all roof levels.

LOCATION : 51 - 59 Montague Street Worthing

DATE REGISTERED 25th February 2008

APPLICANT : Marks and Spencer Plc

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. WOT22/A/110/P/00 and WPT022/A/110/P/01 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.

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[redacted]
Executive Head of Planning,
Regeneration and Wellbeing

Dated : 21st April 2008

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

2. The two Air Handling Units (AHU1 and AHU2), hereby approved, shall not be brought into operation before details of their maximum levels of noise at the site boundaries, including any sound or vibration attenuation measures to reduce the noise levels to an acceptable maximum level, have been agreed in writing with the Local Planning Authority. Thereafter, the maximum noise levels as may be agreed shall not be exceeded at any time.

   Reason: To safeguard the amenities of the occupiers of nearby residential properties to the east in Montague Place and those of the occupiers of Knightsbridge House, Marine Parade, adjacent to the application premises to the south.

3. The noise levels of the three close couple units, Pack A, Pack 4 and Pack 5, hereby permitted, shall not exceed 47 dB (A) for Pack A and 50 dB (A) for Packs 4 and 5, respectively, as set out in the particulars submitted only, unless otherwise granted planning permission by the Local Planning Authority in an application on that behalf.

   Reason: To safeguard the amenities of the occupiers of nearby residential properties.

4. Before the roof level handrails in their respective positions on the roof levels, as indicated in this submission, are installed, details of the design, profile, construction, materials and finishes of the handrails shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the handrails shall be installed fully in accordance with the agreed details.

   Reason: To safeguard the character and appearance of the building and the South Street Conservation Area in which it is situated.

INFORMATIVES

1. This planning permission has been granted subject to the conditions listed above. The Council has a formal procedure for checking compliance with planning conditions and you are advised to ensure that all conditions are fully discharged. Any conditions which should be discharged prior to the commencement of development and/or which require specialist or technical data and information to be provided should be dealt with promptly. Failure to comply with a condition can result in enforcement proceedings, including the service of a Breach of Condition Notice. If you have any queries on the requirements of the conditions then please contact Mr H Barnes-Moss on (01903) 221348 who is the Case Officer for this application.

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:

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WB/08/0201/FULL

Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H18 - Amenity of Residents

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
CH4 - Conservation areas and historic towns and villages
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.