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Minutes of a meeting of the Worthing Planning Committee 19 April 2023 at 6.30 pm

Councillor Helen Silman (Chair)
Councillor John Turley (Vice-Chair)

Councillor Noel Atkins
Councillor Russ Cochran
Councillor Dan Coxhill

Councillor Samuel Theodoridi
Councillor Rosey Whorlow
*Councillor Andy Whight

*Absent

Officers: Head of Planning and Development, Planning Services Manager, Senior Legal Officer and Democratic Services Officer

WBC-PC/78/22-23 Substitute Members

There were no substitute members.

WBC-PC/79/22-23 Declarations of Interest

Cllr Noel Atkins declared an interest as an elected member of West Sussex County Council in relation to any issues that may affect West Sussex. He also declared that, in relation to application one he was acquainted with two of the registered speakers.

Cllr John Turley declared he would absent himself from application two as he had an interest as Cabinet Member for Resources.

Cllr Russ Cochran declared that, in relation to application one, he was the Ward Councillor for Northbrook and was a neighbour of an employee of the applicant. He had also met with local residents regarding this application, as Ward Councillor.

WBC-PC/80/22-23 Public Question Time

There were no pre submitted questions received from the public.

WBC-PC/81/22-23 Members Questions

There were no pre submitted questions from Members.

WBC-PC/82/22-23 Confirmation of Minutes

Three of the Members abstained from voting on this item due to absence from the meeting on 22 March 2023.

RESOLVED, that the minutes of the Planning Committee meeting held on **22 March 2023** be confirmed as a correct record and that they be signed by the Chair.

WBC-PC/83/22-23 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/84/22-23 Planning Applications

The applications were determined as set out in the attached appendix.

WBC-PC/85/22-23 Planning Appeals

The Head of Planning and Development presented the decision from the appeal regarding Castle Residence, 6 Windsor Road, Selden, Worthing, explaining that the appeal had been dismissed.

The meeting ended at 9.55 pm

Chair

Application Number:	AWDM/1444/22	Recommendation - APPROVE
Site:	Greater Brighton Metropolitan College, Littlehampton Road, Worthing, West Sussex, BN12 6NU	
Proposal:	Change of Use to Bus Depot (incorporating college car parking during the day) and erection of ancillary buildings and associated facilities in the north west corner of the car park adjacent to Titnore Lane	
Applicant:	Compass Travel (Sussex) Ltd	Ward: Northbrook
Agent:	Wayne Gander MCIAT	
Case Officer:	James Appleton	

The Head of Planning and Development delivered the presentation explaining that this was a retrospective application as the applicant was currently occupying the site he was applying to use as a bus depot. The Officer ran through the information within an addendum published after the agenda and explained that Environmental Health had no objection due to the revised layout proposed which would avoid buses being adjacent to residential properties.

Members had questions for the Officer regarding -

- Road safety, in relation to the proposed Titnore Lane access.
- The condition regarding Titnore Lane access within the 2021 permission granted
- Average traffic speed assessments
- Possible diesel spillage from the buses

There were three registered speakers who gave representations in objection to the application. They raised issues regarding -

- The volume of buses being kept at the site
- The feasibility of a permanent acoustic fence being constructed within the site
- A County Council review investigating a possible embargo on buses using on Titnore Lane
- Compass bus routes in and out of the Worthing area
- Future safety of the footpath that crosses the access point in Titnore Lane

There were two registered speakers who gave representations in support of the application. They addressed issues including -

- The routes their buses operated
- Warning lights and signs at the access point in Titnore Lane
- The impact on the business and employees should the application be denied

Members had questions for the applicant regarding -

- What plans, if any, Compass had to move to electric or hydrogen buses.

- The benefits of the Euro 6 buses being delivered later this year
- What enquiries had been made into other venues for the depot, in and out of the Worthing area
- The possibility of a sound proof cabinet for washing buses on site
- Air quality issues

During debate Members discussed the close proximity of the site to residential properties and the safety concerns regarding pedestrians on Titnore Lane. It was expressed that more investigation could be done into other available sites and it was suggested that a deferral could provide time for the applicant to address some of the issues raised during this meeting.

A proposal was made to defer the application to discuss the scope for a temporary planning permission with the applicant. This was seconded and voted for with a result of 6 in favour, 0 not in favour and 1 abstention.

Decision - Recommendation to Approve OVERTURNED application DEFERRED

Reason - For Officers to discuss the scope for a temporary planning permission with the applicant

Application Number:	AWDM/0119/23	Recommendation - APPROVE
Site:	Air Training Corps Hq, 20 - 22 Victoria Road, Worthing	
Proposal:	Demolition of existing buildings; erection of 11no. residential flats for emergency and temporary accommodation with associated works	
Applicant:	Mr A Probert, Adur & Worthing Councils	Ward: Central
Agent:	Neal Thompson, Robinson Escott Planning	
Case Officer:	Gary Peck	

Councillor John Turley absented him for the duration of this application due to an interest as the Cabinet Member for Resources

The Planning Services Manager outlined the details of the application running through some amendments to the conditions in the agenda and explaining the proposal for these temporary and emergency dwellings.

There were two registered speakers who gave representations against the application. They raised concerns regarding -

- The application site being within the conservation area
- Design aspects felt to be out of keeping
- Overdevelopment of the site
- No warden being proposed for the scheme
- Parking allocation

There was a Ward Councillor speaking in support of the application who expressed perspectives regarding the application as follows -

- There is a large contingent of families, finding themselves homeless through no fault of their own, being temporarily rehoused in inadequate accommodation out of the area. This is causing extreme disruption and distress to them, resulting in long, expensive commutes for working parents and upheavals in children's education.
- Although these units are smaller than the usual standard requirements for dwellings, they are a vast improvement on the alternative of a bedsit or hotel room, with no cooking facilities, miles away from this area.
- This is to be a Council run facility with the occupants being chosen at the Council's discretion. The majority will be working families and there will be no requirement for a warden.

There were two registered speakers giving representations in support of the application. They addressed issues including -

- Design considerations of the development, including sustainable aspects
- The increase in demand in this area for this type of accommodation

- The cost saving for the council being able to house people in this type of accommodation as opposed to hotel or B & B costs.
- The parking allocation for the site.

During debate members discussed that whilst the proposed development being within the conservation area was a concern to consider, the significant need for this type of temporary and emergency accommodation was also of paramount importance. It was voiced that the buildings that would be demolished to make way for this facility were two prefabricated buildings that were unattractive. The new dwellings were aesthetically preferable and the sustainable aspects of them were very positive.

A proposal was put forward to approve the application with the amended conditions. This was seconded and voted in favour of with a unanimous outcome.

Decision - APPROVED - planning permission to be granted subject to amendments 3, 15 and 16 to allow demolition of the building prior to commencement, delete condition 14 as duplicates condition 8, amend condition 10 to allow for opening of 100mm to allow for ventilation and **subject to conditions:-**

1. Approved Plans
2. Full Permission
3. No part of the development hereby permitted, except for the demolition of the existing buildings, shall 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.
4. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall always thereafter be kept for their designated purpose.

Reason: To provide car-parking space for the use.

5. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan.

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

6. Precautionary contaminated land condition
7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

Monday - Friday 08:00 - 18:00 Hours
 Saturday 09:00 - 13:00 Hours
 Sundays, Bank and Public Holidays no work permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The

contractor shall notify the local residents in writing at least three days before any such works.

Reason: In the interests of amenity.

8. No construction works shall progress beyond slab/foundation stage until details and samples of facing materials and finishes to be used in the construction of the external walls, roofs, windows, doors, balconies, footpaths and ground floor patios of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details

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

9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the southern walls of the approved dwellings.

Reason: To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan

10. The windows in the northern and southern elevations of the building hereby permitted shall at all times be obscure-glazed and openable only above 1.7m above floor level and restricted to opening 100mm beyond the finished face of the building where below 1.7m above floor level.

Reason: To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan

11. No construction works shall progress beyond slab/foundation stage until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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 adequate landscaping is provided.

12. Finished Floor Levels

13. Prior to commencement of any works above slab level details of secure entrances/entry systems to the building, external lighting, means of enclosure and gateways to the site shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented and fully adhered to.

Reason: To ensure a well-designed, good quality and safe environment in accordance with Policy DM5 of the Worthing Local Plan

14. No part of the development hereby permitted, except for the demolition of the existing buildings, shall commence 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:-
- a) the anticipated number, frequency and types of vehicles used during construction,
 - b) the location of any site compound, office, welfare facilities, storage of plant and materials used in construction of the development,
 - c) any parking of vehicles by site operatives and visitors,
 - d) arrangements for the loading and unloading of plant, materials and waste, including use of a supervisor as appropriate,
 - e) the erection and maintenance of security hoarding and gates, which shall include out-of-hours contact information for site management and images of the approved development,
 - f) any site lighting, including measures to minimise light nuisance,
 - g) a commitment to no burning on site,
 - h) details of public engagement, including neighbours both prior to and during construction works,
 - i) methods to control dust and fumes from the site,
 - j) methods to manage the impact or noisy activities,

Reason: To minimise and manage risks of nuisance and pollution in the interests of the amenities of the area and highway safety during the construction phase.

15. No part of the development hereby permitted, except for the demolition of the existing buildings, shall commence until a scheme for protecting existing trees to be retained in the development hereby approved and any associated pruning works, has been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented and fully adhered to.

Reason: To retain trees which are of value in accordance with policy DM5 of the Worthing Local Plan.

16. No part of the development hereby permitted, except for the demolition of the existing buildings, shall commence until a Landscaping and Ecological Management Plan has been submitted to include provision to secure Biodiversity Net Gain in accordance with Policy DM18 of the Worthing Local Plan.

Reason: To ensure biodiversity net gain is provided on the site in accordance with policy DM18 of the Worthing Local Plan.

17. The development hereby permitted shall only be used as emergency/temporary accommodation in accordance with the details submitted with the Planning Statement received on 31 January 2023.

Reason: To reflect that the typology of the proposed dwellings is consistent with the provision of emergency/temporary accommodation.

Application Number:	AWDM/1680/22	Recommendation - Delegate to Head of Planning & Development to APPROVE
Site:	Former Worthing College, Bolsover Road, Worthing, West Sussex, BN13 1NS	
Proposal:	Amended Description: Application to Vary Condition 2, 9 and 11 of AWDM/0363/11 to extend residential curtilage to allow the extension of rear gardens of residential dwellings up to the existing acoustic fence within Southern Buffer Strip only. [Planning permission AWDM/0363/11: Demolition of existing college buildings and construction of 265 dwellings together with floor space for commercial nursery units with associated access, parking and landscaping. Amendments - commercial nursery units replacing doctors' surgery in corner block, amendments to central square and surrounding buildings, minor elevational changes to other buildings, minor modifications to layout of streets.]	
Applicant:	Cissbury Chase (Worthing) Management Company Ltd	Ward: Castle
Agent:	Refer to Company Name	
Case Officer:	Jo Morin	

The Head of planning and development presented the report outlining the background of the application and clarifying that it had been deferred in February 2023 to allow for discussions between Officers and residents. An amended proposal was now being put forward at this meeting.

At this point the meeting had been running for three hours and so Members voted in favour of continuing to hear the applications.

There were two registered speakers giving representations in favour of the application who explained the benefits of the plan to extend the gardens to the acoustic fence, not only to the dwellings involved but also to the wider neighbouring community.

During debate Members agreed that this was a favourable application and a proposal was put forward to approve. The was seconded and voted in favour of with a unanimous outcome.

Decision - APPROVED - planning permission delegated to Head of Planning to grant permission subject to a Deed of variation to the original s106 and subject to conditions:-

Amendments and additions to the conditions of AWDM/0363/11 in **bold**.

1. **New time limit 3 years**
2. **Approved Plans**
3. Discharged condition AWDM/0363/11
4. Discharged condition AWDM/0363/11
5. Discharged condition AWDM/0363/11
6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification) no dwelling hereby approved shall be altered or extended unless permission is granted by the Local Planning Authority in an application on that behalf.
7. Discharged condition AWDM/0363/11
8. Discharged condition AWDM/0363/11
9. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. 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 any of the buildings or the completion of the development, whichever is the sooner. **Except for the land to be transferred and highlighted in blue on the approved South Strip Plan (v14)** any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping shall be provided prior to the occupation of the development hereby permitted.
10. Discharged condition AWDM/0363/11
11. **No development including removal of trees and vegetation or any existing fencing to implement the proposals shall take place until an amphibian and reptile hibernaculum has been provided within the SE corner of the site as shown on Dwg. LLD2267-ECO-FIG-001 and shall thereafter be monitored and maintained as set out in the submitted Biodiversity Enhancement Strategy. No existing fencing shall be moved other than in accordance with Reasonable Avoidance Measures set out in Section 2.4 of the submitted Biodiversity Enhancement Strategy.**
12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts any existing or proposed highway(s) (including public paths) unless permission is granted by the Local Planning Authority on an application in that behalf.
13. Discharged condition AWDM/0363/11
14. Discharged condition AWDM/0363/11
15. Discharged condition AWDM/0363/11
16. Discharged condition AWDM/0363/11
17. Discharged condition AWDM/0363/11
18. The buildings shall not be occupied until the parking spaces, garages, access and turning facilities shown on the submitted plans have been provided in accordance with details to be submitted to and approved in writing by the Local Planning

- Authority. The areas of land so provided shall not thereafter be used for any purpose other than access, garaging and parking of vehicles incidental to the use of the proposed development.
19. Secure and covered cycle parking/storage shall be provided for the dwelling and business units within the curtilage of the site in accordance with precise details of numbers and siting which shall be agreed in writing with the local planning authority prior to the commencement of the works. Such agreed cycle facilities shall be provided prior to the occupation of the buildings and shall thereafter be retained for such purposes.
 20. Discharged condition AWDM/0363/11
 21. Discharged condition AWDM/0363/11
 22. Discharged condition AWDM/0363/11
 23. 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.
 24. The dwellings and business units hereby permitted shall not be occupied until refuse and recycling facilities have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such facilities as provided shall thereafter be retained and used only for the storage of refuse and recycling materials.
 25. Discharged condition AWDM/0363/11
 26. Discharged condition AWDM/0363/11
 27. **The acoustic fence shown on the approved South Strip Plan (v14) shall be retained in situ at all times unless otherwise approved in writing by the Local Planning Authority**

4.

Application Number:	AWDM/0510/22	Recommendation - APPROVE subject to the completion of a unilateral undertaking securing the sum of £3,500 towards sustainable travel
Site:	Land At Former Car Park, Dominion Way, Worthing	
Proposal:	Demolition of all existing structures and construction of 5 buildings providing 22 flexible industrial units comprising light industrial (Class E(g)), general industrial (Class B2) and storage/distribution (Class B8) with associated car parking and landscaping with open storage use (Class B8) on land to the northern part of the site.	
Applicant:	Glenmore Holdings Limited	Ward: Broadwater
Agent:	Max Plotnek, MJP Planning	
Case Officer:	Gary Peck	

The Planning Services Manager presented the report clarifying that there had been no representations for this application but because of the size of the site it was mandatory that it came before the Planning Committee.

Members had questions for the Officer regarding-

- The £3,500.00 sustainable travel contribution
- The sustainable aspects of the proposed development. Members requested that a condition be added stating that sustainable energy must be used by the end occupier

There were no registered speakers for this application.

Members agreed that this was a favourable application and a proposal was put forward to approve. The was seconded and voted in favour of with a unanimous outcome.

Decision - APPROVED - planning permission granted, delegated to the Head of Planning and Development to issue the decision subject to additional conditions requiring the Environmental Management Plan to be reviewed, completion of borehole decommissioning, final details of energy sources when occupiers confirmed, details of B8 storage and the completion of a unilateral undertaking or imposition of an appropriately worded condition to secure the sum of £3,500 towards monitoring of the Travel Plan and subject to conditions -

1. Approved Plans
2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

3. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented as approved.

Reason: This site is on Alluvium which overlies the Tarrant Chalk, these are designated secondary and principal aquifers respectively. It is also within a Source Protection Zone 1 for Southern Waters public water supply at Northbrook. Therefore, groundwater is very sensitive to contamination and needs to be protected.

4. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of 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.

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. This is in line with paragraph 174 of the National Planning Policy Framework.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out 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 development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

6. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The development shall be carried out in accordance with the approved details.

Reason: The previous use of the proposed development presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. As stated previously, the site is located in the groundwater Source Protection Zone 1 (SPZ1) for Southern Waters public water supply at Northbrook. Therefore, controlled waters are particularly sensitive in this location.

7. The development shall be carried out in accordance with the submitted Flood Risk Assessment ('FRA') (Ref: AEG0182_Worthing, dated 17/03/2022, by Aegaea) and the following mitigation measures it details:

- The built footprint within the floodplain shall not exceed the existing use as shown in drawing A-SK12P2 (Appendix A of the FRA) and stated in section 12.2 on page 45 of the FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development, future occupants and adjacent sites.

8. Piling and using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: Piling and using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

9. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

10. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies.

11. No development shall take place, including any works of demolition, 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:

- 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,
- 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.

12. Prior to the commencement of the development details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.
13. Prior to the first occupation of any unit forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location 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.

14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the use of the development hereby permitted shall be limited to Class E(g)), B2 and B8 of the Town and Country Planning (Use Classes) Order 2020 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that appropriate uses are continued within the protected Industrial Estate.

15. No external lighting or floodlighting shall be installed on any building or elsewhere on the development, including the access drive, except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

16. No development or site works shall commence unless and until details of the finished floor levels of the buildings in relation to the existing ground levels, and details of any proposed earthworks including the excavation, levelling or mounding of land either across the site or adjacent to the site boundaries have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the details approved under this condition.

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

17. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the buildings hereby permitted shall not be extended or externally altered nor any ancillary building or structure erected or installed within their curtilage.

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

18. All works of demolition and construction on the site, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to between 08:00 and 18:00 hrs on Monday to Friday, and between 09:00 and 13:00 hrs on Saturdays. No works shall take place on Sundays or on Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM5 of the Worthing Local Plan.

19. The development hereby permitted shall be implemented fully in accordance with the Biodiversity Impact Assessment dated March 2022 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of enhancing biodiversity on the site having regard to policy DM 18 of the adopted Local Plan.

20. The CEMP shall be reviewed in accordance with a timescale to be agreed with Southern Water to ensure onsite activities follow best practice and that construction methodologies eliminate or mitigate risk to groundwater. The information provided in the Hydrogeological Risk Assessment should feature in this document.

As the site is located in a highly sensitive hydrogeological area, within a SPZ1, Southern Water wish to ensure best practice is followed.

21. Borehole decommissioning should be completed as soon as practicably possible (after data collection) in accordance with a timescale to be agreed with Southern Water to ensure pathways to the underlying Chalk groundwater and SPZ1 are removed.

Reason: To ensure pathways to the underlying Chalk groundwater and SPZ1 are removed.

22. Upon the completion and occupation of the development hereby approved, details shall be provided to the Local Planning Authority of any changes to the Energy Use and Sustainability Statement submitted in April 2022.

Reason: To ensure that individual occupiers of the units meet the requirements of the submitted Energy Use and Sustainability Statement.

23. Prior to the first use of the part of the site reserved for B8 storage use, details of the storage use proposed shall be submitted and approved by the Local Planning Authority.

Reason: In the interests of visual amenity

24. The Travel Plan shall be implemented in accordance with the proposed details submitted in April 2022 and provision shall be made by the applicant to cover the resource costs of assessing and auditing Travel Plans as part of the 5-year monitoring period in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the provisions of the Travel Plan are implemented and adequately monitored.

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