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Minutes of a meeting of the Worthing Planning Committee 20 December 2023 at 6.30 pm

Councillor Ödül Bozkurt
Councillor Helen Abrahams

Councillor Noel Atkins
Councillor Russ Cochran
Councillor Samuel Theodoridi

Councillor Rosey Whorlow
Councillor Cathy Glynn-Davies
Councillor Richard Nowak

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

WBC-PC/48/23-24 Substitute Members

There were no substitute members.

WBC-PC/49/23-24 Declarations of Interest

Councillor Noel Atkins declared an interest as an elected member of West Sussex County Council in relation to any issues that may affect West Sussex. In addition he declared that, in relation to some of the appeal updates, he was a Salvington Ward Councillor

Councillor Richard Nowak declared an interest as a member of the Worthing Society and stated he was not predetermined regarding any planning applications of interest to this society. In addition he declared that he was a Salvington Ward Councillor.

Councillor Cathy Glynn-Davies declared an interest regarding application AWDM/0693/23 as a Ward Councillor for Broadwater.

WBC-PC/50/23-24 Public Question Time

There were no pre submitted questions received from the public.

WBC-PC/51/23-24 Members Questions

There were no pre submitted questions from Members.

WBC-PC/52/23-24 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 11 October 2023 be confirmed as a correct record and that they be signed by the Chair.

WBC-PC/53/23-24 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/54/23-24 Planning Applications

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

WBC-PC/55/23-24 Appeal Decisions

The Head of Planning and Development presented the latest appeal decisions which the Committee noted.

The meeting ended at 10.26 pm.

Chair

Application Number:	AWDM/0693/23	Recommendation - APPROVE: to delegate to the Head of Planning and Development to grant planning permission subject to completion of a satisfactory section 106 Agreement, Revised Development Framework Documents and responses from the drainage consultee
Site:	Land North of Beeches Avenue, Worthing	
Proposal:	Outline planning application for residential development of approximately 90 dwellings, associated car parking, open spaces and landscaping, with primary access from Lyons Way and approximately six of these dwellings accessed via Beeches Avenue and improved pedestrian footpath link to Charmandean Lane; also rationalisation of car parking provision at the existing football ground	
Applicant:	Hargreaves Residential Developments Ltd	Ward: Offington
Agent:	Rob Huntley Planning Consultants	
Case Officer:	Stephen Cantwell	

The Head of Planning and Development presented the report clarifying that this greenfield site was allocated for development within the adopted Local Plan. He explained how this indicative layout was designed to maintain views of the National Park to the north for the residents of the new and existing dwellings and that National Highways and the National Park had raised no objections to the development.

The Officer highlighted that the football club, using the adjacent football pitch, was concerned that the development would result in less parking available for their use. However, the Officer explained that currently Lyons Farm Retail Parks were often used as overflow parking for the football club.

The Officer also advised that the Flood Authority's response was absent from the report and explained that Officers were recommending that the decision be delegated to them to approve provided that no objections were raised to the scheme. He assured the Members that if the consultation response contained any adverse comments it would be brought back to Committee.

Members had questions for the Officer regarding the proposed mix of sizes of the dwellings and highlighted the need for more three bedroom properties in this area. Flooding was a key concern of the Committee and the Officer illustrated how modern attenuation differed from older methods. He explained how the applicant had carried out deep bore trial holes to demonstrate that they could provide a modern day drainage system to capture water in tanks and then release it slowly. He also confirmed that there were large areas within the site that could possibly be used for small ponds and swales to assist further with attenuation.

There was one registered speaker who gave a representation in objection to the application in regards to the parking at the football ground and explained to Members how the developers plans to formally mark out the area as a carpark would reduce the capacity from about 100 cars to approximately 56 cars.

There were two Ward Councillors who gave representations regarding the application. They expressed concern that as the meeting was being held so near to Christmas it may have resulted in less objectors attending to speak against the proposal. They were also concerned regarding traffic flow and flooding issues relating to the development, as well as pedestrian and vehicular access to the site and the safety issues of a potential increase in pedestrians crossing the A27.

The agent for the applicant was also registered to speak and he answered Members queries regarding parking for the football ground and confirmed that, although they would be formally marking the car parking spaces, it was in the football clubs remit to dictate how people parked in the carpark. He also answered questions regarding the conditions for pedestrians on Charmandean Lane, plans for footpaths and potential drainage issues on the site.

During debate Members discussed concerns pertaining to flooding, parking and pedestrian and vehicular access.

A proposal was forwarded to defer the application under DM20 but this was not seconded.

The Officer clarified to Members that this outline application was being brought to Committee at this time to fix broad development parameters that subsequent reserved matters applications would need to comply with. To this end, the parameter plans were deliberately flexible. He explained that, at the reserved matters stage, alternative parking plans for the football ground could be sought. Cllr Glynn-Davies requested it be noted that pedestrian crossing on the A27 was currently unsafe, although she accepted that this was the County Council's and National Highways responsibility.

A proposal was forwarded to delegate to the Head of Planning to **APPROVE** the application, subject to the satisfactory comments of the Local Lead Flood Authority and the completion of a s106 Agreement and subject to the conditions below, the amendments set out in the addendum and an additional condition requiring replacement car parking to be provided for Worthing United Football Club including coach parking/turning facilities and to be provided in accordance with an agreed timetable. An Informative also to be added to encourage the design of the proposed dwellings to incorporate features to enhance habitat such as swift boxes and bee bricks. Members were keen to engage with National Highways to investigate safer pedestrian crossing points for the A27 and the Head of Planning agreed to raise this with the Highway Authority. This was seconded and voted on with an outcome of seven in favour and one abstention.

Conditions:-

1. 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.

Title	Drawing Number
Site Location Plan	1968-P-001
Lyons Way Access Drawing	14047-06 D

Reason: *For the avoidance of doubt and in the interests of proper planning.*

Time

2. Application for the approval of Reserved Matters for the development hereby approved shall be made to the Local Planning Authority no later than 3 years from the date of this Permission. The development hereby permitted shall not begin later than two years from the date of approval of the last of the Reserved Matters to be approved.

Reason: *To enable the Local Planning Authority to control the development in detail and to comply with section 92 of the Town and Country Planning Act 1990.*

Reserved Matters

3. Details of the scale, appearance, layout (including internal roads, routes, turning and manoeuvring and parking areas and open spaces within the site) and landscaping, (hereinafter called "the Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. The development shall be carried out as approved.

Reason: *To enable the Local Planning Authority to control the development in detail and to comply with section 92 of the Town and Country Planning Act 1990.*

Development Framework

4. The Reserved Matters' details to be submitted shall be in broad conformity with the Development Framework comprising the following:
 - i) Design Guide - Morgan Carn Architects, October 2023
 - ii) Access & Movement Parameter Plan 1978-P-015A
 - iii) Character Area Parameter Plan 1978-P-019 [*Revision Number*]
 - iv) Density Parameter Plan 1978-P-017 [*Revision Number*]
 - v) Green Infrastructure Parameter Plan 1978-P-016 [*Revision Number*]
 - vi) Height Parameter Plan 1978-P-018 [*Revision Number*]

Reason: *For the avoidance of doubt, to accord with the submitted application and to ensure a well-designed, good quality environment well related to its context, landscape, neighbouring amenities, site opportunities and constraints.*

Separate Vehicular Accesses

5. Vehicular access from Beeches Avenue shall not at any time serve more than 6 dwellings and no vehicular road link shall be formed between Beeches Avenue and Lyons Way or any other part of the application site whatsoever.

Reason: *In the interests of clarity, highway safety and neighbouring amenities and to ensure that the vehicular access from Beeches Avenue is not intensively used.*

Sustainability

6. As part of the Reserved Matters details to be submitted pursuant to this Permission, a Sustainability Plan shall also be submitted to the Local Planning Authority for approval. It shall describe measures within the development to achieve sustainable living, including but not limited to the following:

- i) a) Efficient building fabric to reduce energy demand & carbon emissions, and
b) Measures for the provision of sustainable energy and low CO₂, (including predicted energy demand and target CO₂ values) and the percentage of energy to be provided from renewable sources,
- ii) Building orientation and layout to maximise internal daylighting, passive solar gain and natural ventilation,
- iii) Ventilation and any heat management / Building Energy Management Systems
- iv) Water efficient usage and water saving,
- v) Provision of Accessible and Adaptable dwellings and a proportion of Wheelchair User dwellings, including accessible outdoor spaces and in the public realm,
- vi) Consideration of life cycle environmental impacts as part of materials selection.

The Sustainability Plan thereby approved shall be implemented and fully adhered to in carrying out the development.

Reason: *To ensure sustainable construction and renewable energy provision and the provision of accessible, adaptable and wheelchair homes and accessible spaces to meet local needs.*

Safe Environment

7. As part of the Reserved Matters details to be submitted pursuant to this Permission, a Safe Environments Plan shall also be submitted to Local Planning Authority for approval. It shall describe measures within the layout and detailed design of the development and buildings, to minimise the risk and fear of crime and to promote safety, including within pathways and areas of public realm. The Safe Environments Plan thereby approved shall be implemented and fully adhered to in carrying out the development.

Reason: *To ensure a well-designed, good quality and safe environment.*

Biodiversity and Trees

8. As part of the Reserved Matters details to be submitted pursuant to this Permission, the following details and timetable shall be submitted to and approved in writing by the Local Planning Authority:
- i) Details of any tree works or removal, to minimise the felling of trees,
 - ii) Details of tree protection measures, to be undertaken and maintained during development works in accordance with BS 5837-2012 "Trees in Relation to Construction",
 - iii) Details of site management measures (A 'Landscape and Ecological Management Plan or LEMP') to minimise and manage any impact on protected species, including reptiles, as outlined in section 5 of the Tyler Grange Ecological Impact Assessment Report submitted with the application (TG Report No. 13938_R03_JW)
 - iv) Within the LEMP at iii) above, a Strategy for the management and enhancement of biodiversity value of the site, as outlined in section 6 of the Tyler Grange Ecological Impact Assessment Report submitted with the application (TG Report No. 13938_R03_JW)

The development, including any demolition works, shall only be undertaken in accordance with the details and timetable thereby approved and the Strategy at iv) above shall be used in the design of the layout and landscaping details in the Reserved Matters at condition 3 of this permission.

Reason: *To safeguard and enhance the biodiversity value of the site.*

Boundaries

9. As part of the Reserved Matters details to be submitted pursuant to this Permission details of the positions, design, materials and types of boundary treatments to be used or erected throughout the site. The boundary treatments for individual building curtilages shall be completed prior to occupation of each respective building and retained thereafter.

Reason: *In the interests of visual amenity.*

Lighting

10. Prior to any above ground construction works, a detailed external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include provisions for street lighting and lighting of the public realm, including measures to minimise impacts on the South Downs International Dark Skies Reserve, and risk of crime, light pollution and impacts on wildlife as appropriate. The lighting thereby approved shall be implemented in accordance with these details and thereafter retained.

Reason: *To assist in the provision of a well-designed, good quality and safe environment, and to ensure well-designed lighting which minimises light*

pollution and any impacts on wildlife and the character and setting of the adjacent South Downs National Park and South Downs International Dark Skies Reserve, in consultation with the South Downs National Park Authority.

Levels

11. As part of the Reserved Matters details to be submitted pursuant to this Permission a survey and plan of existing and proposed site and slab levels, including reduced ground levels to minimise building mass and landscape impacts and to provide access for people with disabilities, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter no other raising of levels shall be carried without the prior written approval of the Local Planning Authority.

Reason: *In the interests of clarity, to ensure access for people with disabilities and because changes in levels may materially affect the appearance and impact of the development on the landscape and neighbouring amenities.*

Access and Highways

12. i) No part of the development which is to be served by vehicular access from Lyons Way shall be first occupied until such time as the vehicular access from Lyons Way has been constructed in accordance with the details shown on the approved Lyons Way Access Drawing (drawing No 14047-06 D) and further detailed plans which are to be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters application, or suitable alternative detailed plans if first submitted to and agreed in writing with the Local Planning Authority.

ii) No part of the development, which is to be served by vehicular access from Beeches Avenue (serving up to a maximum of six dwellings), shall be first occupied until such time as the vehicular access from Beeches Avenue has been constructed in accordance with detailed plans which are to be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters application, or suitable alternative detailed plans if first submitted to and agreed in writing with the Local Planning Authority

Reason: *To secure satisfactory standards of access and detailed plans for each vehicular access for the proposed development.*

Visibility

13. No part of the development which is to be served by vehicular access from Lyons Way shall be first occupied until such time as visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Lyons Way in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety.*

Access & Parking

14. No dwelling within the development shall be first occupied until the road(s), footways, and parking areas serving that dwelling have been constructed, surfaced, and drained in accordance with plans and details to be first submitted to and approved by the Local Planning Authority, these shall include engineering specifications to ensure that all streets and vehicular access areas are suitable for use by service, refuse collection and emergency vehicles.

Reason: *To secure satisfactory standards of roads, paths and parking for the development.*

Off-Site FootWay Improvement

15. No part of the development which is to be served by vehicular and pedestrian access from Lyons Way shall be first occupied until such time as dropped kerb/tactile paving works shall have been constructed as shown on the approved Lyons Way Access Drawing (drawing No 14047-06D), and at the existing Sainsburys servicing access in the position shown on DTA Drawing No 14047-09 dated 28/07/2023, in accordance with details which shall first be submitted to and approved in writing by the Planning Authority.

Reason: *To secure satisfactory standards of roads, paths and parking for the development.*

Parking

16. As part of the Reserved Matters details to be submitted pursuant to this Permission full details of car parking provision be submitted to and approved in writing by the Local Planning Authority, including:
 - i) the extent of allocated, unallocated and visitor parking spaces showing the dwelling/building to which each space is allocated or related, and
 - ii) construction specifications, including drainage and means of marking-out/identification.

No dwelling shall be occupied until the car parking space(s) serving the respective dwelling (including associated visitor/unallocated or other parking) has been constructed and provided in accordance with the approved details. Once provided, the spaces shall thereafter be permanently retained at all times for their designated purpose.

Reason: *To ensure the provision of well-located car-parking facilities and sustainable parking to serve the development.*

Electric Vehicle Charging

17. No part of the development shall be first occupied until Electric Vehicle Charging spaces ('EV spaces') and operational charging apparatus, for that part, have been provided in accordance with plans and details, (including details and charging rates for charging apparatus and on-going maintenance for active EV spaces, and details of ducting/cabling for passive EV spaces), have been submitted to and approved by the Local Planning Authority. The EV spaces and associated charging apparatus, ducting and cabling shall be permanently maintained in effective working order thereafter.

Reason: *To ensure the provision of well-located Electric Vehicle Charging spaces to serve the development.*

Cycle Parking

18. No dwelling shall be first occupied until secure cycle parking facilities and appropriate visitor cycle parking facilities, where appropriate to serve the respective dwelling (s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the private car.*

Travel Plan

19. The development hereby permitted shall not be occupied unless and until a comprehensive Travel Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A27). The Travel Plan shall be generally in accordance with Framework Travel Plan 14047-06a submitted with the application and prepared in line with prevailing policy and best practice and shall include as a minimum:

- the identification of targets for trip reduction and modal shift;
- the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
- the timetable/ phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
- the mechanisms for monitoring and review;
- the mechanisms for reporting;
- the remedial measures to be applied in the event that targets are not met;
- the mechanisms to secure variations to the Travel Plan following monitoring and reviews

The development shall only be occupied in accordance with the approved Travel Plan which shall remain in place for 5 years unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority

Reason: *In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (September 2023) and paragraph 40 DfTCircular 01/2022*

Drainage - Details

20. Development shall not commence, other than works of site survey and investigation, until details of the proposed means of:
- i. foul drainage disposal, and
 - ii. surface water drainage disposal,
and
 - iii. A hydrogeological assessment identifying any risks to groundwater,

have been submitted to, and approved in writing by, the Local Planning Authority. The design of surface water drainage shall follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA and shall maintain existing surface water flow paths across the site, including mitigation measures for any areas of high risk. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage as well as measures to prevent pollution to groundwater and the water environment.

No part of the development shall be occupied until the complete surface water drainage system and foul drainage serving that part has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage in consultation with Southern Water and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere and minimises the risk of pollution.*

Drainage - Management

21. No construction of any relevant part of the development shall commence until full details of the maintenance and management of the surface water drainage system for that part, including pollution prevention and management measures, is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design

life. Upon completed construction of the surface water drainage system for that phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage and control of risks of pollution in consultation with Southern Water, and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere.*

Drainage - As Built Details

22. Immediately following implementation of the approved surface water drainage system for the relevant part of the development, and prior to occupation of that part, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented drainage scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained to ensure its continued effectiveness.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage and pollution risk control and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere.*

Drainage - Infiltration and Groundwater

23. 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 groundwater and controlled waters. The development shall be carried out in accordance with the approved details.

Reason: *To minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including groundwater.*

Piling and Groundwater

24. Piling and the use of penetrative construction methods shall not be carried out unless a full piling risk assessment and method statement, including consideration of contaminants, groundwater and aquifers and methods to minimise risk of contamination, has been submitted to and approved in writing by the Local Planning Authority. Piling and penetrative methods shall only be carried out in accordance with the details thereby approved details.

Reason: *To minimise and manage risks associated with existing site contamination, to prevent harm to human health and to protect the water environment including groundwater.*

Ground Remediation - method

25. No development including any demolition, 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:
- i). A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors; and
 - d. potentially unacceptable risks arising from contamination at the site.
 - e. provision for further investigations following demolition of the buildings on the site,
 - ii). A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - iii). The results of the site investigation and the detailed risk assessment referred to in (ii) 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.
 - iv). 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 (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented in accordance with the remediation strategy thereby approved unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including groundwater.*

Ground Remediation - verification

26. Prior to any dwelling 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 minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including

groundwater in accordance with paras 170, 178 - 180 of the National Planning Policy Framework 2019 and Saved Policy RES9 of the Worthing Local Plan 2003.

Ground Remediation - precaution

27. 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 thereby approved.

Reason: *To minimise and manage risks associated with existing site contamination, to prevent harm to human health and to protect the water environment including groundwater.*

Fire Hydrants & Water Supply

28. Prior to the commencement of the development, details of fire hydrants or stored water supply required to serve the development (including location, water pressure and volume), shall be submitted to and approved in writing by the Local Planning Authority. The hydrants or water supply serving the relevant part of the development shall be installed as approved and made available for use prior to occupation of and dwelling in that relevant part of the development.

Reason: *To ensure the provision of adequate fire-fighting facilities for the development.*

Noise

29. As part of the Reserved Matters details to be submitted pursuant to this Permission a survey of existing noise and assessment of noise exposure and risks affecting the development shall be submitted to and approved in writing by the Local Planning Authority. This shall detail any noise mitigation measures to be included within the development. The development shall only be carried out, occupied and maintained in accordance with the details thereby approved.

Reason: *In order to minimise risks of noise and vibration to residents of the development hereby approved.*

Construction Management Plan

30. No development, including any works of demolition, shall commence until a Construction Environmental Management Plan (CEMP) 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 for the development. The Plan shall provide details as appropriate, including of the following matters:-

- a) the anticipated number, frequency and types of vehicles used during construction;
- b) the method of access and routing of vehicles during construction, with no construction traffic access to the site via Beeches Avenue;
- c) safety and timetabling provisions to minimise risks from development traffic during school drop-off and collection times;
- d) the parking of vehicles by site operatives and visitors;
- e) the loading and unloading of plant, materials and waste;
- f) the location of any site compound and site office, including details of any external lighting;
- g) the storage of plant and materials used in construction of the development;
- h) the erection and maintenance of security hoarding and gate (s),
- i) a commitment to no burning on site,
- j) a Dust Management Plan incorporating measures to control dust arising from the works;
- k) measures in place to deal with minimise risk of and respond to any accidental spillages including containment and clear-up;
- l) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;
- m) efficient construction waste management, re-use and recycling;
- n) details of public engagement, including with neighbouring and nearby residents, both prior to and during construction works;
- o) details of any onsite lighting required during development works;
- p) ecological protection measures
- q) details of communications to be used to keep neighbouring residents and businesses informed of the nature and duration of development works and contact details for site management,

The Construction Environment Management Plan shall include arrangements for monitoring and effective enforcement and shall contain a construction method statement which be implemented and adhered to throughout development works.

Reason: *In the interests of highway safety, to ensure in consultation with National Highways and the County Highway Authority that the A27 Trunk Road and other roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and DfT Circular 01/2022. and to satisfy the reasonable requirements of road safety and to manage noise and pollution and ecological protection during the construction phase.*

Working Hours

31. 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 07:30 - 18:00 Hours

Saturday 08:00 - 13:00 Hours

On Sundays and Bank Holidays no work is 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: *To safeguard the amenity of neighbouring occupiers during the period of development works.*

Archaeology

32. i) No development or demolition works shall commence until a Written Scheme of Investigation (below-ground archaeological investigation and recording), including provision for on-site field survey and recording and the analysis reporting publishing and archiving of the results has been submitted to and approved by the Local Planning Authority.

ii) The Written Scheme of Investigation approved under i) above shall be implemented and fully adhered to during the course of development, (including any below ground works), and shall fulfil all steps of recording, analysis, reporting, publishing and archiving of the results contained within it.

Reason: *In order to ensure that heritage assets of archaeological interest will be adequately recorded before development and subsequently will be adequately reported.*

Application Number:	AWDM/1439/23	Recommendation - APPROVE
Site:	Multi Storey Car Park, High Street, Worthing	
Proposal:	Proposed two storey Energy Centre, Thermal Store, electrical sub-station, car-park rooftop plant, and riser pipework	
Applicant:	Hemiko	Ward: Central
Agent:		
Case Officer:	James Appleton	

The Head of Planning and Development presented the report and clarified that, since agenda publication, there had been a further three letters of support for the project from local residents and one letter of objection on the grounds of the loss of trees and green space. The Officer explained that the energy centre was to be set back from the road to allow for a possible future cyclepath.

Members had queries for the Officer regarding the design of the structure, noise breakout, the back up gas boilers, loss of parking on the top floor of the car park and the use of PV panels.

There was one registered speaker who gave a representation, on behalf of the Worthing Society, objecting to the siting and design of the proposed energy centre as it abutted a conservation area.

There was one Ward Councillor who gave a representation, as the Cabinet Member for Climate Emergency, in support of the application.

The applicant gave a representation in support of the application and addressed Members concerns regarding the back up gas boilers, explaining that they required a resilient back up system as they supply buildings such as the hospital, however, it was thought to be highly unlikely they would ever be used. He explained that the long term aim was to connect to an increasing number of users which would eventually enable the energy centre to be moved out of town.

During the debate Members were generally supportive of the scheme although there were still some concerns regarding the location and design of the energy centre. It was accepted that there is a great need for this type of green energy network and it was recognised that a central location was essential to serve key town centre uses until enough customers started connecting to enable the energy centre to be moved out of town.

A proposal was forwarded to **APPROVE** the application subject to the satisfactory comments of the Highway Authority and to the conditions below with the addition of a condition requiring details of display boards to be erected on the buildings providing information on the sustainable benefits of the Energy Centre but also highlighting some

of the heritage assets in the locality. Members were keen for the applicant to engage with the Worthing Society and local art and cultural groups to provide additional visual interest to the building and to engage the local community more effectively. This was seconded and voted on with an outcome of 6 in favour, 1 against and 1 abstention.

1. Approved Plans
2. Before the development is commenced, a Biodiversity Net Gain assessment shall be submitted to and approved in writing to the LPA in accordance with the Environment Act and a scheme for the offsetting of biodiversity impacts at the site to secure a minimum of 10% gain (combined on and off site contributions). Authority. This should be supported by a biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements within Sussex. The Offsetting scheme shall include:
 - i. Identification of receptor site or sites, which accord to the requirements of the Sussex Nature Recovery Network Evidence Base.
 - ii. Details of the offsetting requirements of the development in accordance with current Defra biodiversity metric;
 - iii. The provision of evidence of arrangements to secure the delivery of offsetting measures, including a timetable of delivery; and
 - iv. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of not less than 30 years from the commencement of the scheme. The management and monitoring plan is to include:
 - a. Description of all habitat(s) (which must accord to the current Lichfield District Nature Recovery Network Mapping) to be created/restored/enhanced within the scheme including expected management condition and total area;
 - b. Review of Ecological constraints;
 - c. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
 - d. Detailed design and working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location or proposed works;
 - e. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any proposed seed mix;
 - f. Identification of persons responsible for implementing the works;
 - g. A timetable of ecological monitoring to assess the success of all habitat creation/enhancement. Ecological monitoring reports should be submitted to the LPA every 5 years.
 - h. The inclusion of a feedback mechanism to LDC, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary.

The arrangement necessary to secure the delivery of the offsetting measures shall be executed prior to written approval by the Local Planning Authority. The offsetting scheme shall thereafter be implemented in accordance with the requirements of the approved scheme.

Reason: *To ensure adequate biodiversity net gain in accordance with policy DM18 of the Worthing Local Plan.*

3. Prior to commencement of development, details of the green wall including a landscaping scheme for the wall and methods for attaching to the building as well as its future maintenance shall be submitted to and approved in writing by the LPA. Thereafter the development shall proceed in accordance with the approved details and maintained for the lifetime of the development in accordance with the agreed maintenance plan.

Reason: *To control the development in detail and to ensure appropriate future maintenance in the interests of visual amenity.*

4. No plant or equipment shall be used on site unless it has been provided with the acoustic screens in accordance with the recommendations of the submitted acoustic report. Thereafter the plant and equipment shall be maintained in accordance with the manufacturer's instructions to ensure compliance with the maximum noise levels set out in the submitted acoustic report.

Reason: *To protect the amenities of local residents.*

5. No development shall take place until tree protection measures have been installed around the trees to be retained on the site in accordance with details first submitted to and approved in writing with the LPA.

Reason: *To control the development in detail and to retain existing landscape features on the site.*

6. Landscaping scheme for the site.

7. Prior to commencement of development precise details of the acoustic screens including details of the colour have been submitted to and approved in writing with the LPA.

Reason: *In the interests of visual amenity.*

Application Number:	AWDM/1367/23	Recommendation - APPROVE
Site:	The Place Drop In Centre, 24 Marine Place, Worthing	
Proposal:	Conversion and alterations of existing building to provide 5no. residential apartments with associated works including access, landscaping and associated works and 2no. parking spaces	
Applicant:	Worthing Borough Council	Ward: Central
Agent:	Robinson Escott Planning	
Case Officer:	James Appleton	

The Head of Planning and Development presented the report explaining that this application would ordinarily be delegated to Officers but as Worthing Borough Council was the applicant it must be brought to Committee. He highlighted that there was some concern over the loss of some bin space and the report advised a condition be added to secure an alternative site for those bins. The Officer clarified that although there had been no comments submitted regarding possible overlooking issues, if there were any future concerns raised obscure glazing could be fitted where appropriate retrospectively.

A proposal was forwarded to **APPROVE** the application subject to the conditions below and an additional condition requiring amended plans showing the provision of communal bins to serve Bedford Row flats to be submitted to and approved by the LPA. This was seconded and voted on with an unanimously in favour outcome.

1. Approved Plans
2. Car parking space (details approved) - 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 thereafter be retained at all times for their designated purpose.
3. Cycle parking - 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 to be submitted to and approved by the Local Planning Authority.
4. Landscaping scheme to be submitted and approved.
5. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the NonStatutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1%

AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

6. Prior to the first use of the development a Flood Evacuation Plan shall be submitted to and approved in writing to the Local Planning Authority.
7. Prior to the commencement of development precise details of replacement windows shall be submitted to and approved in writing by the LPA.
8. Provision of parking and covered cycle spaces in accordance with the approved plans and retained for the use of occupants of the development.
9. Provision and management of landscaped area to deliver the 10% biodiversity net gain.
10. Sustainable design features to be incorporated into the development in accordance with the submitted Energy Statement prior to occupation of the development.
11. Informatives

WSCC (Vehicle Crossover – Minor Highway Works)

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.”

Southern Water

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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