

Addendum

Application Number:	AWDM/0273/23	Recommendation - APPROVE
Site:	91 Dominion Road, Worthing	
Proposal:	Part retrospective application for provision of car workshop for car servicing, MOT and tyre fitting, car wash bay, final preparation building/ car storage (south-west corner); valeting and cleaning building (south-east corner); plus sale of motor cars, together with associated offices and flat. Acoustic fence to southern boundary. Application to Vary Condition 1 to include acoustic fence details, (Condition 4 (Car Sales - Hours of Working), 5 (Car Sales - Delivery Hours.) and 8 (Car Sales Display area), Condition 10 (cycle Parking) condition 11 (Electric vehicle charging) and removal of condition 14 (dust suppression scheme) and 15 (Land contamination) of previously approved AWDM/1018/21	
Applicant:	Gleam Clean Ltd	Ward:Broadwater
Agent:	Mr Richard Stubbs	
Case Officer:	Jacqueline Fox	

Additional Supporting Statements

The agent has provided photographs of the cycle store provided on site (these have been added to the Committee presentation). On the requirement to provide electric charging points the agent states that these are expected to be provided within the tyre fitting bay and the other at the southern end of the main workshops. The agent assumes these will be available to serve the whole of the business activities.

Regarding complaints about telephones ringing outside the permitted hours the agent states that his client has a phone system that operates within the premises. This is wireless operated from the computer and is set to go off from between 8.00am and 6.30pm. Unfortunately this will go off very occasionally outside of these hours when there is a problem with the computer. His client is trying to safeguard this going off beyond those hours.

Regarding potential contamination the agent states that his client is waiting for a Consultant to undertake a complete soil examination and this will follow with a further application to discharge/remove this condition. In the circumstances the agent states that this part of the application could be withdrawn if this assists.

The applicant will be making representations at the Committee, however, he states that the erection of the expensive acoustic fence was to reduce any adverse impact

of his business on adjoining residents and he had hoped would allow for more flexibility on hours of use. The applicant suggests revisiting the hours of use in 3-4 months time once the benefits of the acoustic fence have been monitored.

Additional Representations

A log of activities outside the permitted hours has been submitted along with photographs of outside working. A number of photographs have also been submitted. These are currently being assessed by the enforcement team and environmental health. Example photographs are attached to this Addendum.

Planning Assessment

A controversial aspect of the use of this site has been the erection of gates restricting access to the rear of properties fronting Dominion Road (although this does not form part of the current application). Your Officers have checked and these gates exceed 2 metres in height and therefore require planning permission. The applicant has been requested to regularise the matter and seek permission for these gates. The applicant states that he is to meet the freeholders of the Dominion Road buildings to address the ongoing anti-social behaviour associated with the use of the rear access but comments this is a separate issue to the planning permission. As Members are aware the grant of planning permission for the access gates would not override any existing legal rights over the applicant's land to these properties and this would need to be resolved as a civil matter.

The details of the cycle store are acceptable and this condition can be removed/discharged. Regarding the possible disturbance of contaminated material on the site, as works have taken place before the contamination report was submitted a revised condition can be imposed requiring the report within 3 months of this permission and any remedial works necessary undertaken within a set timetable.

The applicant is keen to extend the hours of use and the concerns of local residents about breaches to the permitted hours perhaps illustrate the applicants desire for longer opening hours (albeit the applicant disputes some of the alleged breaches have occurred). However, even with the acoustic fence Environmental Health expresses concerns about all activities being allowed beyond the permitted hours. Activities such as the jet washing has resulted in complaints about noise and disturbance and there have been complaints about activities taking place outside of the workshop. In the circumstances, it is not considered this aspect of the application can be supported. The applicant may have to consider re-applying if he wishes for quieter car sales activities outside the permitted hours.

Revised Recommendation

To **Approve** as the conditions set out in the agenda with the following amendments:

10. The secure cycle parking provided shall be retained at all times for the parking of cycles only.

Reason: To ensure alternative travel options to the use of the car are always available in accordance with current sustainable transport policy

15. Within 3 months of the date of this permission a contamination report shall be submitted assessing the impact of recent ground works have had on releasing any contaminants. Any remedial work identified shall be undertaken in accordance with a timetable agreed in writing with the LPA. Once remedial work is undertaken a verification report shall be submitted within one month providing details of the data that has been collected in order to demonstrate that the remedial works are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To prevent pollution of groundwater and in the interests environmental protection and public health and safety, in accordance with policies DM5,DM21 and DM22 of the Worthing Local plan

Photographs submitted by neighbour indicating breaches to planning conditions.



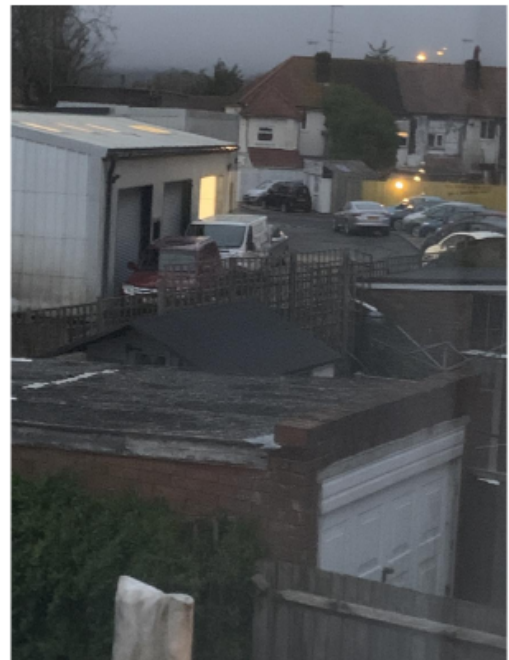
Thursday 19th January 21.34 (IMG 4125)
Floodlights triggered.



Friday 20th January 08.53 (IMG 4128)
Vehicle being repaired outside of workshop. Vehicle left revving excessively for a long period of time.



Tuesday 21st March 06.41 IMG 0033
Main gate to the site is open.



Wednesday 22nd March 18.36 IMG 4257
Activity on site after permitted hours.