

Application Number:	AWDM/1624/22	Recommendation - APPROVE subject to a planning obligation and the receipt of remaining comments from Consultees
Site:	The Montague Centre, Liverpool Road, Worthing	
Proposal:	Full planning permission for a maximum of three additional floors above the Montague Quarter Shopping centre to provide 42 No. residential units.	
Applicant:	Cayuga Developments Ltd	Ward: Central
Agent:	Lewis and Co Planning SE Ltd	
Case Officer:	Stephen Cantwell	

The Head of Planning introduced the report highlighting the amendments that had been made to the scheme during negotiation between Officers and the applicant.

The Principal Planning Officer presented the remainder of the report covering the addendums, two additional letters of objection and some additional conditions to be added.

Members had questions for the Officers regarding -

- The entry point to the development.
- Waste collection details.
- Disabled parking and access.
- Delivery vehicles to the retail units.
- Electric vehicle charging spaces.
- Viability and contributions from the applicant.

There were three registered speakers who gave representations in objection to the proposed scheme. They raised issues relating to -

- Over development.
- Overlooking.
- Impact on current and future residents.
- Increased traffic.
- Increased need for parking.
- Size of proposed dwellings.
- Loss of light and privacy to existing dwellings.
- Increased delivery vehicles.
- Unacceptable height and density of the proposed scheme.
- The proposed obscure glazing did not provide a good environment for residents.

There were three registered speakers giving representations in favour of the application. They reiterated points within the Officers presentations and confirmed that ideally the

dwellings would be let and not sold.

During debate Members discussed the open space and affordable housing contributions that the applicant would be making. They deliberated the aspects that the registered objectors had raised, considered the current shortfall of housing in Worthing and the benefits the scheme would provide to the appearance and upkeep of the Montague Centre.

Members resolved that the application be approved in accordance with the officer recommendation but with an adjustment to the proposed legal agreement to apportion a greater amount funding to affordable homes becoming £97,000, with the balance of £50,000 for open space and recreation, with some of this to be spent upon Liverpool Gardens. Members resolved that conditions should also include provision of parking for wheelchair users, electric vehicle charging and acoustic glazing, with appropriate ventilation, following the advice of the Environmental Health Officer. Officers would also condition the requirement for obscure glazing in accordance with the report addendum.

A proposal was put forward to accept the Officers recommendation, with the additional conditions stated. This was seconded and voted on with an outcome of 6 votes in favour, 0 votes against and 2 abstentions.

Decision - APPROVED, subject to a s.106 Agreement, as summarised in the Draft Heads of Terms table in this report, and subject to consideration by the Head of Planning under delegated authority of responses awaited from consultees and subject to the following conditions:

1. Approved Plans

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.

[to be inserted]

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

2. Standard 3 year time limit

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.

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.*

3. High Standard of Works with Ongoing Liaison

Prior to commencement of any works (including any works of dismantling of external fabric), a programme and timetable of development works shall be submitted to and approved in writing by the Local Planning Authority. This shall describe key stages of the implementation of development directed towards the attainment of a high standard of implementation and workmanship, including:

- i) Any dismantling of existing external fabric and construction of new fabric,
- ii) Arrangements for ongoing liaison with the Local Planning Authority for the prior agreement of external materials, design details and working techniques during key stages,
- iii) Arrangements for early stage review of works as they are implemented and provision to remove such works if they are deemed by the Local planning Authority to be of an unsatisfactory standard)

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

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 & DM24 of the Worthing Local Plan 2020 - 2036 and paras 126 - 135 of the NPPF, 2021*

4. Design Details

The following external details shall not be implemented until large scale drawings (typically 1:20 scale or larger) and cross sections where necessary of the following have been submitted to an approved in writing by the Local Planning Authority in accordance with condition 3 ii) of this permission.

- a) windows and doors,
- b) balconies and balustrades / rails,
- c) roof intersections, soffits and eaves,
- d) rainwater goods
- e) decorative stonework and cappings
- f) brickwork and brickwork features
- g) Pedestrian entrance to the new dwellings in the former ground floor retail unit
- h) balcony screen for flat 1

[*any others to be added*].

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 & DM24 of the Worthing Local Plan 2020 - 2036 and paras 126 - 135 of the NPPF, 2021.*

5. External Materials

External materials shall only be used on external faces of the development hereby approved (including any to be used on the external faces of the existing building), subject to their approval in writing first by the Local Planning Authority in accordance with condition 3 ii) of this permission, following the submission of details and samples where required by the Authority, (which may include sample panels on-site)

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 & DM24 of the Worthing*

6. Vehicular Access and Delivery Areas

No dwelling shall be occupied until all vehicle access, delivery areas and parking have been completed in accordance with the approved plans and shall be retained and kept free for that purpose.

Reason: *In the interests of road safety and amenity and to ensure the retention of delivery and service access for vehicles in accordance with policy DM15 of the Worthing Local Plan 2020 - 2036 and paras 92 & 110 of the NPPF, 2021*

7. Delivery and Servicing Management Plan

Prior to occupation of the dwellings hereby approved, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall describe the management of deliveries and waste management, including arrangements for the collection of waste, commercial delivery times and management of delivery accesses and spaces.

Reason: *In the interests of road safety and amenity and to ensure the retention of delivery and service access for vehicles in accordance with policy DM15 of the Worthing Local Plan 2020 - 2036 and paras 92 & 110 of the NPPF, 2021*

8. Cycle Stores and Bin Stores

No dwelling shall be occupied until secure cycle parking stores and bin stores have been provided in accordance with the approved plans, These shall be then kept permanently available and maintained for these purposes.

Reason: *In the interests of sustainable transport and amenity in accordance with DM9 of the Worthing Local Plan 2020 - 2036*

9. Travel Plan

No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: *In the interests of sustainable transport and amenity in accordance with DM9 of the Worthing Local Plan 2020 - 2036*

10. Sustainable Surface Water Drainage

Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should 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/ No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity. Details shall be supported by an assessment of the risks to controlled waters. The scheme shall be implemented as approved and in accordance with any timetable/phasing agreed as part of the approved scheme.

Reason: *To ensure adequate surface water drainage, including sustainable drainage and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere in accordance with policy DM20 of the Worthing Local Plan 2020 - 2036 and paras 167, 169 & 174 of the NPPF 2021.*

11. Drainage Maintenance

No dwelling shall not be occupied until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure adequate surface water drainage, including sustainable drainage and its maintenance, is adequate for the design lifetime and does not increase flood risk elsewhere, in accordance with policy DM20 of the Worthing Local Plan 2020 - 2036 and paras 167, 169 & 174 of the NPPF 2021.*

12. Drainage Verification

Immediately following implementation of the approved surface water drainage system and prior to occupation of any dwelling, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an appropriate qualified 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 in perpetuity.

Reason: *To ensure an accurate record of drainage in accordance with policy DM20 of the Worthing Local Plan 2020 - 2036 & NPPF paras 167, 169 & 174.*

13. Foul water drainage

No development shall take place until details of foul drainage have been submitted to and approved in writing by the local planning authority in liaison with Southern Water. No dwelling associated shall be occupied until the drainage works have been carried out in accordance with the approved details.

Reason: *To ensure appropriate foul drainage, in accordance with policy DM9 of the Worthing Local Plan 2020 - 2036*

14. Sustainable Construction & Energy

- i) The development hereby approved shall (unless alternatives are agreed in writing by the Local Planning Authority), incorporate the following sustainable energy and heat management measures, in accordance with the details in the Energy and Sustainability Report by Phlorum [ref] submitted with the current application:
 - i) Energy efficient building fabric and mechanical ventilation
 - ii) Air-source heat pump boiler system (or other such system incorporating renewable energy to achieve a similar outcome as shall first be approved in writing by the Local Planning Authority),
 - iii) LED internal & external lighting,
 - iv) Efficient water goods and fixtures to achieve <110L/Person usage/day.
 - v) Operational waste management,
- ii) Written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, within 3 months of the first occupation of the development, (or such other time as shall first be agreed in writing by the Local Planning Authority), to confirm that these measures have achieved the target CO2 reduction contained in the Phlorum Report below the baseline model including renewable energy, and confirming the installation of water goods and fixtures to achieve a target of <110L/Person usage/day.

The verification document shall include any proposed and timetabled remedial measures if these targets have not been met, in which event the remedial measures thereby approved shall then be implemented in accordance with that timetable.

Reason: *To ensure CO2 reduction through sustainable construction, renewable energy and to ensure water efficiency provision in accordance with policies 17 & 18 of the Worthing Borough Council Core Strategy 2011 and paras 152-158 of the NPPF, 2021.*

15. District Heating

With the exception of any dismantling works, no development shall take place until a strategy to facilitate connection of the development to a future district heating network, have been submitted to and approved in writing by the Local Planning Authority. This shall:

- i) identify potential routes for connecting pipework
- ii) Identify an internal distribution system
- iii) identify plant room space for the future installation of heat interface
- iv) Include a strategy to facilitate the connection of the network to the development and adaptation / transition to the supply of heat from the network

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

Reason: *To provide for connection to a potential future district heating network in the interests of CO2 reduction through energy efficiency in accordance with in accordance with policies DM16 & DM17 of the Worthing Local Plan 2020 - 2036*

16. Amenity and Biodiversity

All planting and biodiversity provisions contained in the [document reference] shall be implemented during or before the next planting season following the occupation of the development hereby approved and shall be permanently maintained thereafter. Any vegetation or biodiversity measures or surfacing 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 type, size & species.

Reason: *To enhance the character and appearance and biodiversity value of the site in accordance with policy DM18 of the Worthing Local Plan 2020 - 2036 and paras 126-135 & 174 of the NPPF, 2021.*

17. External Lighting – Provision and Limitation

No external lighting which is visible from outside the site, shall be installed unless details, including design, position and luminance, have first been submitted to and approved in wiring by the Local Planning Authority.

Reason: *In order to provide lighting as part of safe, safe accessible development and to balance lighting needs with the interests of the wider townscape, conservation area, neighbouring and amenities in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020 - 2036 para 174 of the NPPF, 2021.*

18. Aerials

Any external aerial/antenna and / or satellite dish (if any) for that building, shall first be submitted to and approved by the Local Planning Authority. Thereafter no other external aerial/antenna or satellite dish shall be installed on any building in areas which are visible from outside the site, unless details have first been submitted to and approved by the Local Planning Authority.

Reason: *To avoid multiple aerial / antenna and / or satellite dishes, in order to safeguard the appearance of the development and conservation area with policy DM5 & DM23 & DM24 of the Worthing Local Plan 2020 - 2036*

19. Sound Insulation Between Floors and Spaces and Acoustic Glazing

Prior to commencement of any works, other than any than any dismantling I details of construction and insulation to minimise risk of noise and vibration between floors, walls and adjoining spaces within the development and of any acoustic glazing and ventiaition shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented and permanently retained.

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

20. Noise Mitigation and Ventilation - Verification

No development shall be occupied until all noise mitigation and ventilation approved under condition [above] above has been completed and details of the post implementation independent verification have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the mitigation and ventilation measures undertaken are effective and protect noise sensitive development from noise & vibration. Any remedial actions arising from this verification testing which are then required by the Local Planning Authority shall also be implemented and permanently retained and maintained thereafter.

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

21. External plant

No external fixed plant, or mechanical vent or duct shall be installed until details including acoustic performance and where relevant, odour management, have been first been submitted to and approved in writing by the Local Planning Authority All plant shall be maintained in accordance with manufacturer's guidance to ensure the levels contained in the aforementioned Acoustic Assessment are not exceeded and any future plant shall also meet the specified levels within the approved scheme.

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

22. Changes of Use

No existing commercial premises at ground or first floor of the building or associated ground or first floor associated commercial, shall be used for any residential purposes whatsoever (other than the single existing commercial unit which is hereby converted for residential access and cycle storage purposes in accordance with the approved plans), without the prior written approval of the Local Planning Authority. This condition shall apply notwithstanding the provisions of the Town and Country Planning Use Classes Order 1987, as amended or the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any Order revoking or re-enacting these Orders.

Reason: *To safeguard the retail function of the premises in the primary retail area of the town centre in accordance with policy DM13 of the Worthing Local Plan 2020 - 2036*

23. Balcony Screen and Obscure Glazing

Flats 1 & 13 not be occupied until details of a balcony screen for the southern side of flat 1 and partial obscure glazing to southern windows in flats 1 & 13, have been installed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority so as to minimise risk of overlooking of neighbours to the south. The screen and obscure glazing shall be permanently retained and maintained in accordance with the details thereby approved.

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

24. Precautionary Approach

If during development, contamination not previously identified is found to be present at the site, (for example, asbestos containing material, grossly impacted or odorous material), then no further development within that localised area of the site that the contaminated material in question is discovered in shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority as part of the verification reporting.

Reason: *To minimise and manage and residual risks in accordance with paras 183 - 185 of the NPPF, 2021 and policy DM22 of the Worthing Local Plan 2020-2036.*

25. Construction Management Plan

No development shall take place, including any works of dismantling, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- 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.*

26. Hours of Work

No construction work relating to the development, or operational or construction vehicles, shall be undertaken or operated on the site except between the hours of: 08.00 and 18.00 on Mondays to Friday and between the hours of 08.30 and 13.00 on Saturday and not at any time on Sundays or Public Holidays.

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

balance between the protection of local and residential amenities and times of development work in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policies RES7 & H18 of the Worthing Local Plan 2003.

27. Safeguarding of groundwater/ approval of piling

Piling or deep foundation using penetrative methods, if used 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 or deep foundation using penetrative methods has the potential to mobilise contamination which could impact on groundwater resources beneath the site, controlled waters in accordance with policy DM22 of the Worthing Local Plan 2020-2036 and paras 174 & 183 - 185 of the NPPF, 2021.*

28. Any other appropriate conditions.

Application Number:	AWDM/1906/22	Recommendation - To APPROVE subject to satisfactory comments of the Highway Authority and HSE and completion of a Unilateral Undertaking.
Site:	Development Site At Former Debenhams Store 14 To 20 South Street And Iceland Car Park, Marine Place, Worthing	
Proposal:	Redevelopment of the former Debenhams Building (including site over existing Iceland Car Park) to comprise a mixed use development including commercial floor space (Use Class E) at ground, part first and part second floor level, and 79 residential 1-2 bedroom flats from first floor to upper levels including the addition of two floors above Debenhams and Iceland sites with amenity spaces including sky lounge, home-working suite, storage lockers and bike store for residents.	
Applicant:	Craig Developments Ltd	Ward: Central
Agent:	ECE Planning Limited	
Case Officer:	James Appleton	

The Head of Planning presented the report clarifying details of the affordable housing contribution and the proposed travel plan.

Members had questions for the Officer regarding -

- Retail space.
- Fire safety details.
- Viability review.

There was one registered speaker who gave a representation in objection to the application. She addressed issues including -

- Design quality.
- Overdevelopment.
- Fire risks.
- Road safety.
- Parking.
- Disabled access and parking.
- Lack of affordable housing.

There were two registered speakers who gave representations in support of the application. They clarified that the proposed development presented a high financial risk but that they had confidence in it and would use their own money when appropriate.

During debate Members agreed that the proposed development was favourable but they required more in depth Fire Safety information before they would be able to make a decision.

It was proposed to defer the application to allow time for the applicant to provide this information. This proposal was seconded and voted on with an outcome of an unanimously in favour vote.

Decision - DEFERRED, to resolve outstanding Fire safety issues with the proposed layout of flats.

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	

The Head of Planning presented the report clarifying the proposal and the information within the addendum.

There were two registered speakers who gave representations in objection to the application, one a local resident and one, the Ward Councillor. They addressed issues including -

- The working hours being unacceptable due to the noise generated from the site.
- The business being in a largely residential area.
- The heavy traffic and congestion caused by the business.
- The ineffectuality of the acoustic fence.

There was one registered speaker who gave a representation in favour of the application.

- He clarified that the application was in part retrospective as some of the buildings constructed had been replacements of existing buildings.
- He explained he would be more than willing to increase the acoustic fence if the Council so wished.
- He clarified that he would also like to extend the opening hours to more than the proposed hours.

During debate members agreed they were in favour of supporting businesses but were very aware of the largely residential position of this one. Therefore it was proposed to accept the officers recommendation and approve the application with the opening hours as proposed. This proposal was seconded and voted on with an outcome of unanimously in favour vote.

Decision - APPROVE - as per addendum (Cttee agreed not to extend hours of use) and subject to the following conditions:

1. Approved plans
2. Site commenced
3. Materials submitted
4. No working, trade or business (including any vehicle repairs or valeting of vehicles or car sales) shall take place on the premises except between the hours of 7:30 am and 6.00 pm on Monday to Friday (inclusive) and 8.00 am and 4.00 pm on Saturday. There shall be no working on the site on Sundays or Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with policies DM5 and DM22 of the Worthing Local Plan

5. There shall be no arrival, reception or despatch of deliveries or customer vehicles to or from the site except between the hours of 7:30 am and 6.00 pm Monday to Friday, and 8.00 am to 5.00 pm on Saturdays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with with policies DM5 and DM22 of the Worthing Local Plan

6. No external working other than the use of the single car wash bay (within the hours specified in condition 5 above) shall take place anywhere on the premises to which this permission relates and all other working shall be confined to within the buildings with the doors shut.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with policies DM5 and DM22 of the Worthing Local Plan

7. The final preparation building shall only be used for final preparation and presentation photography, with no mechanical work, repair, maintenance or servicing to take place within the building or covered area.

Reason: In the interests of residential amenity having regard policies DM5 and DM22 of the Worthing Local Plan

8. Only 4 cars for sale shall be displayed on the road frontage (two outside the shop premises associated with the business and two in front of the substation) along with parking along the access road in addition to the area defined on plan PL002 Rev E on the layout plan accompanying application AWDM/1018/21 and no cars shall be displayed for sale in any other location on the site.

Reason: In the interests of highway safety and amenity having regard to saved policy DM5 of the Worthing Local Plan

9. The car parking scheme shall be provided and marked out in accordance with the approved site plan PL002 Rev E.

These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the us*

10. Within 2 months of the date of this permission covered and secure cycle parking spaces shall be provided in accordance with plans and details first submitted to and approved in writing by the Local Planning Authority.

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

11. Within 2 months of the date of this planning permission, electric vehicle charging space(s) shall be provided in accordance with Appendix B of the WSCC Guidance on parking at New Developments, plans and details of which to be submitted to and approved in writing by the Local Planning Authority.

Reason: *To provide sustainable travel options in accordance with current sustainable transport policies.*

12. No external lighting shall be installed on the premises unless and until precise details of their position and a specification or brochure detail of the proposed lamps (including their luminance) has been submitted to and approved in writing by the local planning authority. The external lighting shall be installed only in accordance with the approved details and shall be angled so as to minimise the potential for glare affecting neighbouring residential properties.

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

13. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On all other days such work shall only be undertaken between the hours of 8.00 am and 6.00 pm Monday to Friday, and between the hours of 9am and 5.00 pm on Saturdays.

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

14. - Deleted

15. No further ground works of any kind shall take place unless and until the following components of a scheme to deal with the risks associated with contamination of the site have each been submitted to and approved in writing by the Local Planning Authority:-

(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) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (3) The site investigation results and the detailed risk assessment (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 (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 express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To 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

16. Details submitted and approved under current application
17. No public address system or other sound amplification system shall be installed or used on the site (including within the buildings).

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with saved policies DM5 and DM22 of the Worthing Local Plan.

18. The residential flat above the office building shall only be occupied by an owner or employee of the commercial uses approved on the site.

Reason: Permission would not normally be granted for such a development within a commercial environment and without adequate amenity and is only permitted

exceptionally having regard for policies DM1, DM2 and DM5 of the Worthing Local Plan.

19. The proposed valeting and cleaning building shall only be used in association with the primary uses of the site for car sales and car workshop and not as a stand-alone car valeting and cleaning business.

Reason: In the interests of amenity and highway safety and having regard to the DM5 and DM22 of the Worthing Local Plan

20. The south side doors in the valet building shall remain shut at all times other than for emergency purposes.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with saved policies DM5 and DM22 of the Worthing Local Plan.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

