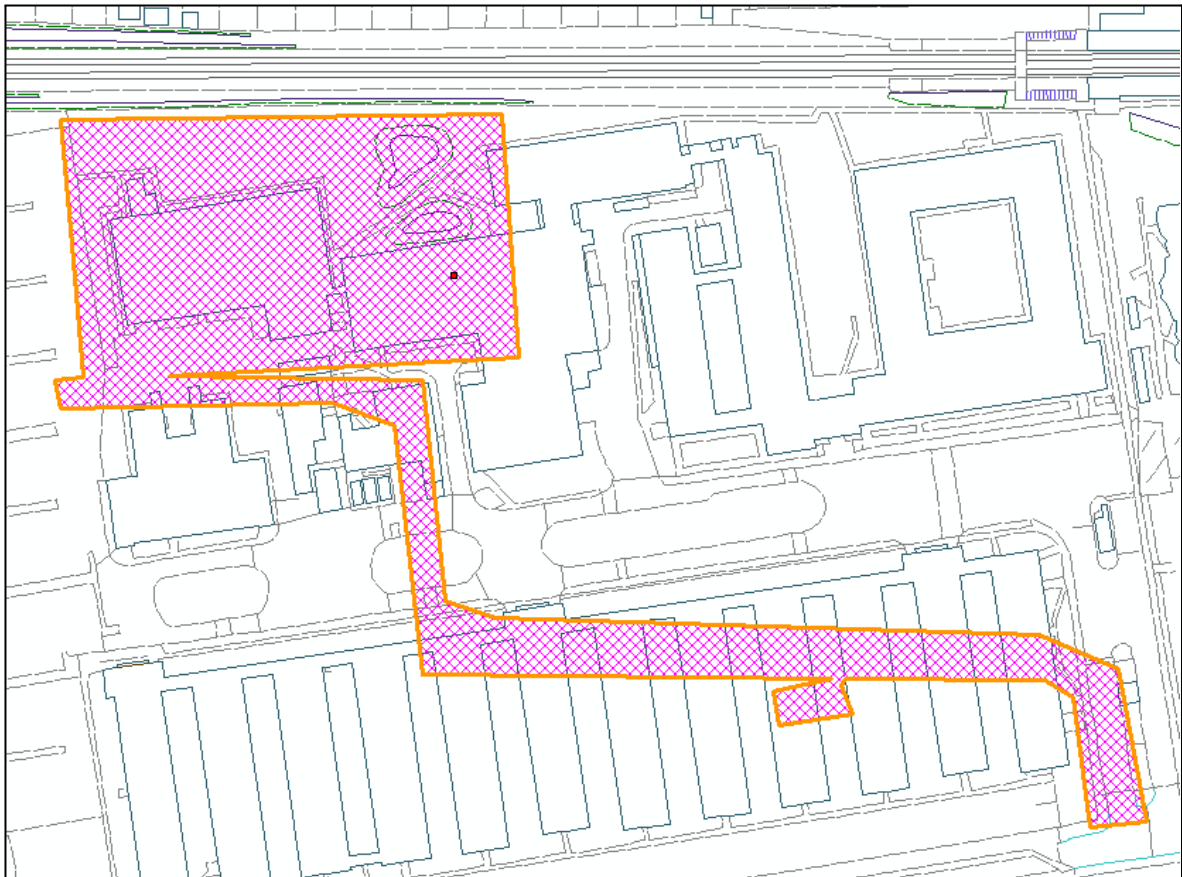


<b>Application Number:</b>	<b>AWDM/0786/23</b>	<b>Recommendation - APPROVE</b> subject to a planning obligation and the receipt of remaining comments from Consultees.
<b>Site:</b>	<b>Site of Former HM Revenues and Customs and Land South of HM Revenues And Customs, Barrington Road Worthing</b>	
<b>Proposal:</b>	<b>Erection of part three, part four storey block of extra care apartments on northern land-parcel of former HMRC Site, with associated residents lounge, restaurant, wellbeing room, visitors accommodation, staff accommodation and communal electric buggy store and internal refuse area. Vehicular access via internal estate road, car parking with electric charging points, sub-station and landscaping.</b>	
<b>Applicant:</b>	<b>McCarthy Stone</b>	<b>Ward: Goring</b>
<b>Agent:</b>	<b>The Planning Bureau Ltd</b>	
<b>Case Officer:</b>	<b>Stephen Cantwell</b>	



## **Site and Surroundings**

This application relates to a rectangular site of approximately 0.48ha, which is situated within the wider 6ha redevelopment land of the former HM Revenue and Custom (HMRC) land in Barrington Road in Goring ward. It is located in the middle of the northern part of the HMRC area, abutting the railway line.

Original HMRC buildings, comprising a range of 1-5 storeys were demolished in 2022 and most of the 6ha area is under redevelopment by Bellway Homes, to construct a mixture of 287 dwellings, including a cluster of five storey flats to the east of the application site.

Vehicular access to the application site would be through the Bellway development, linking to the eastern end of Barrington Road, close to the original gateway of the former HMRC complex. Footpath links through the Bellway site will link to the railway station and to the western end of Barrington Road, with a new cycle-pedestrian path connecting the two ends of Barrington Road, replacing the original, informal pedestrian path.

The application site is bounded by the railway line to the north, the new Bellway residential developments to the east and west and a new central green and play area to the immediate south.

To the north of the railway line are two storey houses in Chesterfield Road, approximately 30m from the northern edge of the site, with intervening gardens of approximately 12-15m length. To the north east is Durrington-on-Sea railway station and a recently converted three storey block of flats.

## **Proposal**

The site was previously identified for a 68 bed care home in the outline planning permission of 2021 (AWDM/1979/19).

The current application seeks full planning permission for an alternative development comprising the erection of an apartment building of 63No. extra-care apartments for older people (70 years+), with associated residents lounge, restaurant, wellbeing room, visitors accommodation, staff accommodation and communal electric buggy stores and internal refuse area.

It would include 29No. two-bed and 34No. one-bed apartments. All would accord with nationally described space standards (Floor plans are shown in the subsequent sections of the report) Of the 63 apartments, 52 would have access to private outdoor amenity space, comprising balconies and patios, with a large communal garden to the rear.

It has a contemporary architectural design being a flat roofed, part three, part four storey building finished in multi-tone red brick and paler brick for upper floors, also contrasting brick banding, metal balconies and dark grey anthracite fenestration.

The plan form would be T-shaped, with a main four storey (12.5m high) element at the front (south), facing the new green. Subservient side 'wing' elements of 9-12m height would be set back approximately 1.5m from the main facade (See figure 1)



**Fig 1 - Proposed Front (Southern) Elevation**

A site layout plan is shown below (figure 2). Access would be via an internal estate road from the wider Bellway development. The proposal includes car parking for 33 vehicles, some with electric charging points, also a substation and landscaping. The 33 car parking spaces are to the western end of the site, several backing on the new rear gardens of the Bellway development.



## Fig 2 - Proposed Site Layout

Perimeter planting and trees are proposed. To the eastern end of the site would be communal gardens with hard and soft landscaping, including an area of raised beds to the north east.

### Relevant Planning History

**AWDM/1979/19** - Outline planning permission for the demolition and phased, comprehensive, residential-led redevelopment for a maximum of 287 dwellings (use class C3), of which up to 140 would be houses and up to 158 would be apartments/retirement apartments. Provision of a 68-bedroom care home (use class C2). Provision of car parking, landscaping and associated works. All detailed matters reserved except for access points at the site boundaries. Approved with Section 106 agreement. **Approved 30th April 2021**

**AWDM/0605/22** (Bellway land) - Reserved matters application for Appearance, Landscape, Layout, Scale and access within the site, for 287 new homes (Use Class C3) together with car parking, landscaping and associated works. Approved with conditions. **Approved 9th November 2022**

### Consultations

**West Sussex County Council:** No objection.

Having regard for the site history and the submitted information as part of this application, the Highways Authority does not consider the proposal to have a severe impact on the operation of the highway network and is in general compliance with the National Planning Policy Framework. A summary of the response is outlined below:

#### Access - Acceptable

- Vehicular access into the site is through the wider [Bellway] redevelopment
- The proposed 6m wide bellmouth access and access road is appropriate
- Pedestrian access to the building on western elevation directly from car park
- Shoppers entrance to the south which connects the development to the wider development site.

#### Parking and Layout - Acceptable

- Satisfied that 33 car parking spaces are sufficient given the proposed demographic of residents
- Tracking diagrams are acceptable. A refuse truck can be within 10m of refuse stores. Fire tender access has been demonstrated through a swept-path diagram

## Capacity - Acceptable

- Traffic flows: the Transport Statement, based on (TRICS) survey data of other completed and occupied developments shows that a development of 65 residential retirement dwellings would generate 12 vehicle movements in AM and PM peak times. Considering this and the existing permission for the wider site there is no expectation for this proposal to give rise to any increase or material change over and above what has been consented.

## Accessibility - Acceptable

- The site has good connections to surrounding pedestrian infrastructure and is close to bus and rail services. No issues regarding accessibility were previously raised on the previous planning consents for the wider site.

## **Southern Water:** No objection

No objection to the proposal. The submitted information makes reference to drainage using Sustainable Drainage Systems (SuDS). Details of foul and surface drainage can be secured pursuant to planning permission.

## **Private Sector Housing officer** - No objection

## **Environmental Health officer** - No objection

The acoustic proposals for this development are acceptable

The Air Quality report also looks acceptable, subject to some further EH officer consideration of mitigation measures for final agreement

## **Waste Services Officer:** Response awaited

Tree officer - Response awaited

## **Sussex Police:** No objection

Comments as follows:

- Good natural surveillance is provided as part of the scheme
- A secure entrance lobby is proposed with CCTV link to individual apartments
- Suggested that the developer internally seeks to compartmentalise areas e.g. lift and stairwell access to be joint separately or jointly by an additional door set. However, acknowledged this might not be suitable for retirement apartments and therefore not something that is appropriate for this application.
- Recommended that all mail delivery is through a secure external letter box meeting the requirements of the Door and Hardware Federation standard Technical Standard 009 (TS 009) or delivery through the wall into a secure

area of the building. These should be easily accessible at a height for a range of users.

- External and internal security lighting is encouraged under BS 5489-1:2020. Secure by Design does not recognise bollard lighting as appropriate security lighting given it is low level lighting only and does not deter antisocial behaviour.

### ***Lead Local Flood Authority (WSSCC) - Further Information Requested***

Updated calculations for run off rates and water quality information are required to address our objection, with allowance for climate change.

### ***The Worthing Society: No objection***

The Society commented that this type of accommodation is much needed in the Worthing area.

### ***West Sussex Fire and Rescue Services : No objection***

Subject to conditions and informatives to require details of fire hydrants and to ensure that access is provided for firefighting vehicles

### ***Network Rail: Comment***

Prior to commencement the developer should engage with the Network Rail Asset Protection and Optimisation team to enable a review of the proposal to ensure that works are completed without any risk to the operational railway.

## **Representations**

Five objections received to original plans.

One objection to amended plans (as at 1st October, final date for comments 17th October)

### **Urban Design**

- *Four storeys with a flat roof. Concern raised that this is different to care home on earlier planning proposals*
- *Concern raised with regards to the proposed varying height across the site and that the building proposes no pitched roof*
- *Concerns as to why the elderly care building has moved to the rear of the site*

### **Trees and boundary**

- *Objections to the loss of the 'nesting' Leylandii trees along the train line causing privacy issues. Only pruning is needed. New trees will take a long time to grow and be more widely spaced apart. Why is a 3m high fence proposed when 2m height is the normal limit?*

**Officer Comment** The application is supported by a Soft Landscaping Plan which includes a variety of trees and other planting which will have enhanced ecological benefits for the site and would accord with Local Plan Policy DM18. The existing trees are not covered by a Tree Preservation Order. Planning Consent is not required for their removal. Fencing up to 2m high along rear boundaries does not normally need planning permission but planning permission may be sought for greater heights.

#### Other matters

- *Concerns were raised with regards to foot paths within the area and blocking these off during construction phases as they are limiting permeability.*
- *Barrington Road and Durrington Bridge are in need of repair including the pavements, due to vehicle movements and there are pot-holes*

**Officer Comment:** Repairs blockage of off-site roads and pavements is a matter for the County Highway Authority, to whom this comment has been referred.

- Inadequate consultation. Not all neighbours were consulted during the course of the application

**Officer comment-** during the course of the application, letters were posted to neighbouring properties and site notices were displayed including the amended plans.

- Address concerns and local naming concerns of the wider area.

Officer Comment - Not a material planning consideration

#### Amended Plans

*The care home has been moved from the southern side of the HMRC land to the north and from two storeys to four storeys. Individual independent flats also differ from the original care home, Concern at overdevelopment and of privacy, we are slowly being swamped by development in close vicinity*

*New coloured plans do not have any key to indicate colours of heights, including the northern wing facing neighbours,*

*Will we face a three-story partial height and blank apart from four windows?*

*Original plans indicated a single-story section here and has it moved closer to us? This is totally unacceptable as the other flats/apartments in the northeast corner are further back. This will reduce light to our properties and be an eyesore.*

*Committee has not considered / discussed objections previously.*

*Unable to locate or see any plans on the council planning site*

**Officer comment** - The amended plans have not changed the location of the building since submission of this application but it is correct that the outline permission was for a care home rather than extra care apartments and that this was to have been located in the southern part of the HMRC land. Detailed design and impact comments are considered in the Planning Assessment section of this report. Plans were published and made visible on the Council's website shortly after their receipt.

## **Relevant Planning Policies and Guidance**

Worthing Local Plan 2020-2036:

DM1 Housing Mix; DM2 Density; DM3 Affordable Housing

DM5 Quality of the Built Environment; DM6 Public Realm

DM7 Open Space, Recreation and Leisure; DM8 Delivering Infrastructure

DM13 Retail & Town Centre Uses; DM15 Sustainable Transport & Active Travel

DM16 Sustainable Design; DM17 Energy; DM18 Biodiversity; DM19 Green Infrastructure

DM20 Flood Risk and Sustainable Drainage; DM21 Sustainable Water Use & Quality; DM22 Pollution

DM23 Strategic Approach To The Historic Environment; DM24 The Historic Environment

National Planning Policy Framework (NPPF), September 2023.

Supplementary Planning Document 'Space Standards' (WBC 2012)

Open Space, Recreation & Leisure Guidance Note (WBC 2021)

'Infrastructure Delivery Plan' (WBC 2010)

## **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations. Under Sections 72 & 73A of the Planning (Listed Building & Conservation Areas) Act 1990 special attention should also be given to the desirability of preserving or enhancing the setting of Conservation Areas.

Section 38(6) Planning and Compulsory Purchase Act 2004 requires the planning decision to be made in accordance with the development plan unless material considerations indicate otherwise.

## **Planning Assessment**

### ***Principles***



The principle of redevelopment of the HMRC land, including the application site, was established by 2021 outline approval, which has been implemented by the Bellway development currently under construction . Since then it is also allocated in the Worthing Local Plan as site A8 for residential development including a care home/sheltered accommodation.

The key difference between the outline approval and current application is that the 68 bed care home in the outline permission, at the south western corner of the HMRC land, has been replaced by a 63 apartment scheme for extra care living. The site location was changed in response to the advice of the South East Design Review Panel, to create a better relationship between accommodation for older people and the public open space at the centre of the site, and to provide improved urban design. This was accepted in the approval of the Bellway reserved matters application AWDM/0605/2022 in November 2022 (Committee meeting 21st September 2022).

The type of accommodation is also different. The care home would have provided health and nursing care with likely individual bedrooms and a communal lounge and dining room. In planning terms this fell within Use Class C2 'Residential Institutions', which covers hospitals and nursing homes.

The current proposal provides individual apartments, each with its own lounge, kitchen and bathroom. 'Extra Care', as proposed, is by means of supportive services to allow for independent living. This tends to be non-medical such as a laundry service, a managed reception, help with housework and shopping and 'look-in' type arrangements such as wake up calls and reminders for taking medication. This is paid for by service charges which may be individually tailored and changed over time. This falls within Use Class C3 dwellinghouses, as confirmed in the Local plan (para 5.14).

Hence, due to the change in use class this application seeks full planning permission rather than details 'reserved matters' pursuant to the original outline permission.

## Housing

Policy DM2 supports densities in excess of 100 dwellings/ha for flatted schemes and 35/ha for houses. The proposed apartments at 131/ha, accord with this. The blended density of the flats and houses on the other 5.2ha of the former HMRC land is 55/ha.

Policy DM1 - Housing Mix states that in order to deliver sustainable, mixed and balanced communities, the Council will expect all applications to consider the most up to date evidence of housing need, to help determine the most appropriate housing mix based on the character and location of the individual site. Among other things, to meet the growing needs of older people, housing with support and care should be provided to be both affordable and market tenures in accessible and suitable locations close to local services.

The Council's Strategic Housing Market Assessment, 2020 (SHMA) identifies a demand of 835 dwellings to provide housing with support by 2036. This is due to the

steeply-rising percentage of people aged over 65 years from 22.8% in 2019 to 43% by 2036.

The SHMA defines schemes such as this application as 'Retirement living or Sheltered housing with support. Which includes purpose built dwellings with limited communal facilities such as lounge, laundry facilities and guest rooms, with some support to allow residents to live independently. These can include 24 hour on site assistance and a warden/house manager.

The proposal, which is for residents aged 70 years and over, and for this level of support, is therefore clearly in alignment with the policy and underlying SHMA evidence.

### Affordable Housing & Viability Assessment

Policy DM3 - Affordable Housing, states that any new residential development including 10 or more dwellings, is required to make provision for affordable housing. For sites which have been previously developed, such as the HMRC land, a percentage of 20% affordable housing is required by on-site provision or more exceptionally by a financial contribution towards off-site provision. The policy acknowledges that in cases of exceptional development costs, it may not be possible for an individual development to meet the full requirement. In such cases this will only be accepted if demonstrated by robust and open viability evidence.

In the current application, the applicant has provided a financial viability assessment (FVA), which identifies a projected deficit in the Residual Land Value (RLV) of £792,000; RLV being the difference between the current land value of £3.1m and the sum of all proposed development works and anticipated sales values, assuming that a developer profit of 20% is taken.

A peer review of this assessment by the Council's consultant has examined these findings and reported very recently. It broadly concurs with the development costs including the land value. However it considers that the applicant's predicted sales values could be improved upon, for instance the applicant's anticipated £475,000 for 2 bed apartments could reach £525,000.

The review assessment suggests that the Residual Land Value could therefore improve to a positive value of £755,000. Furthermore if a reduced developer profit of 17.5% is taken, this positive value could further increase to £1.26m.

This recent review is now subject of further discussion with the applicant. In particular, the applicant considers the Council's figures to be over optimistic in assuming sales values which are 25% above a local benchmark figure for retirement dwellings of each size. They reiterate that their anticipated sales values are 15% above the benchmark, which they consider is more in keeping with current trends for supported retirement living of this type.

It is noted that the guidance upon which benchmark values and typical uplift percentages are identified (Source: Retirement Housing Group (RHG - a national

organisation representing the whole retirement housing sector), dates from 2016 and is under review.

The applicant also points to its recently announced 35No. apartment retirement living scheme, under construction at Goring Street.

(<https://www.mccarthyandstone.co.uk/retirement-properties-for-sale/walnut-tree-place-goring-by-sea/> ). Here the starting price for a 2 bedroom apartment is £380,000, which is lower than both the applicant's anticipated £475,000 and the Council's £525,000.

The Goring Street scheme was approved in July 2022 (AWDM/0833/21 - Committee meeting 19th January 2022). It possesses similar facilities: individual apartments, a resident's lounge and reception desk. It differs from the current application in being targeted to a lower age group, 60+ years rather than 70+ years. Goring also possesses minimal staff and lacks the communal kitchen/ dining offer and wellness suite of the proposal. These differences support higher sales values for the application site, but in the applicant's opinion, only to the extent of 15% above the RHG benchmark.

Therefore the applicant's position remains that the predicted RLV is a deficit (-£792k). Without prejudice to this view, the applicant has offered a financial contribution of £135,000 towards the provision of affordable housing. This offer is for off-site provision. According to the Council's current research, it would support the provision of approximately 2.5 affordable apartments, which equates to 4% by comparison with the policy target of 20%.

Consideration of this offer requires further advice from the Council's consultant concerning the differences of view about potential sales values. However, there is some merit in other explanations advanced by the applicant, concerning the greater costs associated with extra care developments compared with general housing developments. The construction of spaces for supporting facilities (communal lounge, kitchens and office and storage spaces), add to build costs but less so to sales values. Ongoing maintenance and service charges are further factors

These differences in financial factors by comparison with general housing developments, suggest that some flexibility might be justified in the requirement for affordable housing. In the Goring Street Scheme a financial contribution was accepted, albeit this represented a higher percentage (£317k, equating to approximately 5.8 dwellings) being approximately 16.5% by comparison with the 2.5 / 4% dwellings of the current proposal.

However, it is highly relevant that the financial variables, such as land value and build costs as well as sales values, will differ between sites and that comparisons are only partially helpful.

Further advice is awaited from the Council's consultant and an update will be given. One option which may assist is the use of a s.106 Legal Agreement mechanism. For example, at Goring Street, this allowed for a re-appraisal if development were not commenced within 12 months of permission being granted.

## ***Sustainability***

### Energy and Building Efficiency

Local Plan Policies DM16 and DM17 - Sustainable Design and Energy, set requirements for energy and CO2 performance of new development. For new dwellings CO2 reductions should be at least 20% below the targets set in Building Regulations, 2013 ('Part L, 2013'). Designs should also minimise risk of summer overheating, which might otherwise increase energy demands needed for air cooling. Furthermore, at least 10% of predicted total energy requirements, should use renewable on-site sources. Evidence of actual attainment of these targets should also be provided.

The applicant's submitted Energy & Sustainability Statement states that thermally efficient fabric will be used for walls, roofs and windows in excess of Building Regulations efficiencies. Water heating would be via on-site Air Source Heat Pumps and space heating via electric panel heaters, partly fed by a roof-mounted array for solar panels. Mechanical Ventilation with Heat Recovery (MVHR) would also be used to manage air flow and recycle heat energy.

Calculations indicate that these would produce a potential overall CO2 reduction of approx. 68% below Part L, 2013, which is well in excess of the 20% requirement of the Policy.

It is noted that some of this improvement is intrinsic in the higher targets of the replacement Part L of 2021. Furthermore it is unclear whether the predicted figure deducts the component achieved by on-site renewable energy generation; policies require that the 20% CO2 saving must be in excess of the effect of the renewable energy component. Confirmation has been sought.

In terms of water efficiency, the proposals refer to the use of efficient water goods in kitchens and bathrooms. These are predicted to generate an average usage of approximately 95 litres / person / day. This is well in advance of the 110 target under Policy DM21.

In summary, subject to the confirmation sought regarding renewable energy, both energy / CO2 and water efficiencies are predicted to exceed policy requirements. A suitable planning condition can be applied to require demonstration that the development, when completed, has achieved these.

### Other Sustainability

Further in this report drainage proposals surface water drainage proposals are described, which accord to sustainable principles (SUDS) under Policy DM20. Further updated calculations have been required by the County Council to demonstrate that these include current climate change assumptions.

Biodiversity is subject of Policy DM18, which requires at least a 10% gain in biodiversity, where possible on site. This is also considered later in this report. The poor ecological value of the existing site would be replaced by areas of new planting

and other measures such as bird and bat boxes, to provide the required biodiversity net gain.

Sustainable transport under Policy DM15 is also described below. The site is well located for local public transport, shops and services. Some improvement to proposed cycle parking is discussed below, together with the officer-suggested possibility of joining into the car club of the wider Bellway development site

The new NPPF, 2023 also underlines the importance of well designed places and homes as an intrinsic part of sustainable development. This reaffirms the high quality design requirements of policies DM5 & DM6, the design of outdoor spaces and standards of residential amenity. These are discussed in the next sections of this report.

### ***Design, Character and Appearance***

Worthing Local Plan Policy DM5 - Quality of the Built Environment, requires all new developments to be of a high architectural design which respects and enhances the character of the site and area in terms of architectural form, height, material density, scale, orientation, landscaping, tree canopy and the layout of the development. It should make a positive contribution to the sense of place, local character and distinctiveness of an area.

Policy DM6 - Public Realm requires public realm and shared spaces to be safe, accessible for all, inclusive, attractive, legible and well connected. They should also use high quality design, landscaping, green infrastructure and surfaces

The new National Planning Policy Framework of September 2023 (NPPF, 2023) reaffirms and augments existing policies. It adds that buildings should be beautiful and sustainable. Good design is a key aspect of sustainable development, creating better places in which people want to live and help make development acceptable to communities. It should:

- Function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development;
- Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- Sympathetic to the local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change (such as increased densities)
- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to work
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- Create places that are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.

The role of trees is also reinforced in the new guidance. Their contribution to the character and quality of urban environments can also help mitigate and adapt to climate change. Planning decisions should secure the long-term maintenance of newly planted trees and existing trees be retained wherever possible.

Worthing's Guide to Residential Development SPD, 2013 echoes the policy preface of Worthing Local Plan Policy DM5, requiring good quality architectural and landscape design and composition. Where appropriate, innovative and contemporary design solutions will be encouraged.



**Fig 3: Proposed Building, Central Square and Approved Bellway Development**

The application site forms the northern-most parcel of the wider HMRC redevelopment site. The approved development, which is under construction by Bellway (AWDM/0605/22), has established a new layout and character.

A central spine road and side streets divide the land into grid squares containing housing to the south and west and apartment blocks up to five storeys in the east. The application site is a conspicuous location facing the central open space, which is the heart of the redevelopment.

A blended range of contemporary and traditional architectural designs has already been adopted across the HMRC land, predominantly with red coloured brick and red or grey roof-tiles, and building heights ranging from 2 to 5 storeys.

Houses tend to be traditional in form, particularly where these face towards Barrington Road, using gabled pitched roofs with grey finishes to the roof forms. Apartments are more contemporary in design but also use gables with coloured upper cladding and pitched roofs but of much larger scale than the two and three storey houses. This produces a unique identity but one which integrates well with the established surroundings.



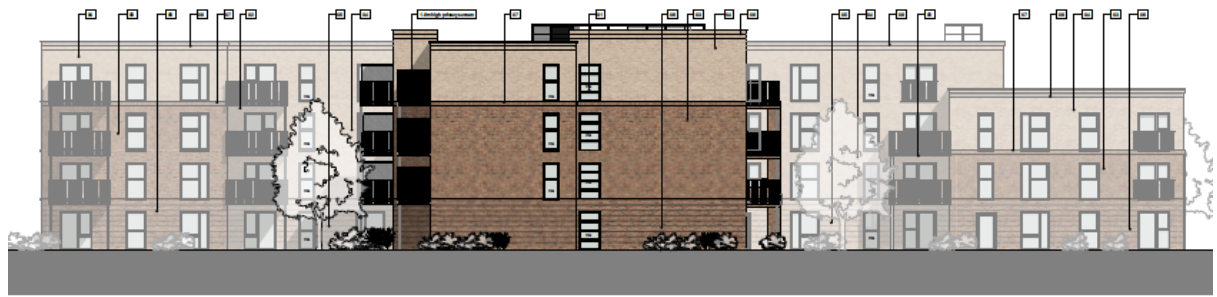
**Fig 4: Proposed Building viewed from west**

The proposed development as aforementioned comprises a broadly T-shaped plan form with a staggered front elevation of four storeys and a three storey western wing. This is taller than the 2.5 - 3 storeys envisaged for the care home in the outline permission, but this is not considered to raise any in-principle objection, alongside the scale of approved five storey apartment buildings of the Bellway development.

By contrast with the Bellway development it would have a flat roof with parapet edges of varying heights. This serves to distinguish the building and accentuate its pivotal location at the northern edge of the central green. This design produces a lower building and lesser mass than the five storey blocks on the eastern side of the square, which minimises the risk of overwhelming the public space.



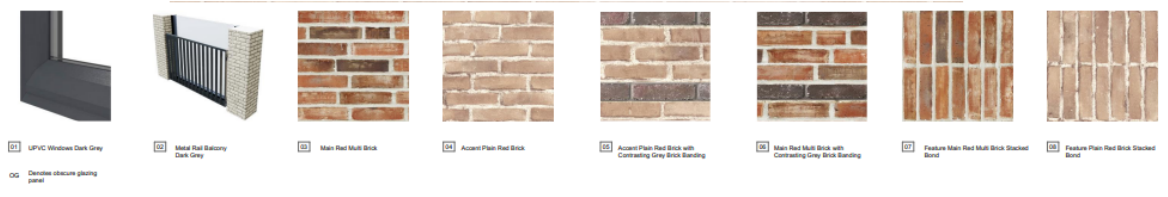
**Fig 5: Front (South) elevation**



Rear



**Fig 6: Rear (north) elevation and side elevations**



**Fig. 7 Detailing of materials, patterns of brick banding and detailing.**

Other buildings within the site are lower in scale and have contemporary gable pitched roof forms. The proposed building would be a larger building with a flat roof form. This is considered to be an acceptable design approach in this setting. National and Local Planning Policies require developments to help facilitate place making. It serves as a sympathetic landmark building which draws on elements of the surrounding urban landscape but introduces a slightly different design which helps form a focus and key landmark building within the site.



National and Local Planning Policies also require as part of sustainable development for proposals to include high quality detailing. In the amended plans, the proposed building includes enlarged balconies to the prominent south elevation, to give a strong visual form and an element of verticality, which helps to avoid the building appearing overly-long and horizontal in form. Balconies are also on the north, east and western elevations. These are enclosed by dark grey railings, as shown in Figure 7. This responds well to the contemporary design of the building.

Figure 7 also shows the range of proposed red multi-stock bricks. Dark grey banding would be used at the lower levels of the building, whilst a lighter creamier shade, would be used predominantly at higher level and on the set back side 'winged' elements on the buildings eastern and western end which help to reduce the bulk and visual mass of the building.

The parapets would use plain red stacked bricks in a vertical manner. This again adds a subtle architectural finessing to the building which adds interest.

The proposed fenestration and joinery comprises grey UPVC anthracite windows with large casements and minimal glazing bars and grey doors. The proposed fenestration is simple in its appearance. In the amended plans window sizes have been rearranged on the front elevation to create greater balance and coherence.

In summary, the proposed scale, mass and architectural design of the building including carefully deployed detailing, is considered to result in a high quality focal-point building within the wider redevelopment of the former HMRC site. In this regard it is considered to be consistent with the NPPF 2023, Local Plan Policy DM5 of the Worthing Local Plan and the guidance outlined in the Guide for Residential Development SPD 2013.

It is noted that the site lies approximately 0.2km to the west of the Shaftsbury Avenue Conservation Area. However, views of the proposed building from this Area are highly unlikely due to the presence of other intervening existing buildings and the new flatted blocks which have been approved on the Bellway part of the redevelopment area. Given this, the proposed development site has no impact on the setting of the conservation area.

### ***Layout and Landscaping***

The NPPF 2023 and Worthing Local Plan Policy DM5 seek to ensure that new developments are satisfactorily laid out in a way that responds to the character of the wider area. Hard and soft landscaping should be included in development proposals.



**Fig. 8 Proposed Landscaping.**

As shown in Figure 8, the site would be landscaped with perimeter hedge rows and tree planting. The proposals include 25 trees of mixed varieties. The tall hedge of Leylandii trees along the northern boundary would be replaced by a mixture of birch, hornbeam and beech, cherry and oak trees (subject to the necessary separate agreement of Network Rail). The new mixed variety of perimeter hedgerows which also contribute to biodiversity.

The proposed vehicular entrance is at the western side of the site, with car parking spaces along the western boundary central area and close to the main entrance to the building in the central western face of the rear wing. Within the car park are a number of proposed trees. This helps to reduce the visual dominance of the parking area, it provides a softer appearance and a buffer to the new neighbouring houses along the western edge which would also have a new low hedgerow.

To the front of the building on its southern elevation would be private gardens for the ground floor units and an area of communal grass. This provides an adequate buffer between the ground floor windows of the proposed building and the pedestrian path close to the front boundary. This also helps to provide a softer visual backdrop and landscape to the front of the building.

At the rear, a communal garden includes a communal seating terrace and a footpath is linked from this to a communal open sided timber gazebo. The communal garden would be predominantly lawned with ornamental trees and shrub planting.

The proposed landscaping includes a species diverse range of planting and hard landscaping, which has been well designed into the site and forms an integral part of the development, laid out in a clear and logical manner as required by Policies DM5 & DM6. The spaces are either fenced (e.g railings along the frontage), or are well overlooked, such as the car park and communal rear garden, which provides a good degree of security, surveillance and safety.

### **Residential Amenity - Existing Neighbours (including Bellway residents)**

The Worthing Local Plan Policy DM5 expects that proposal will be compatible with surrounding uses and proposals should not prejudice and result in a harmful impact on neighbouring residential amenity when considering levels of sunlight/daylight, privacy, noise and whether the development is overbearing or oppressive.

During the course of the application five objections have been received and (to date 1st October) one further letter following the amended plans. These include objection from Chesterfield Road, where the closest existing residents are located to the north of the railway line.

Objections include the four storey height of the building, which is taller at the rear than the indication given in the Bellway application for the wider HMRC site (AWDM/0605/22), and that it extends further northward (approx +17m) than the approved Bellway apartment block to the east. Concerns include potential loss of light and privacy and its visual impact, including the relatively blank face of the northern wing (Figure 6).

In consideration of these comments it is noted that the position of the proposed building is approx 5m from the northern boundary, by comparison with the approx 22m distance of the Bellway block. However, it is one storey lower than the five storey Bellway building and it would have a flat roof rather than the pitched roof used by Bellway Homes. Furthermore the northern wing is narrower (approx 17m) than in the case of Bellway (approx 32m). In summary it is considered to have a significantly lesser mass than the approved Bellway block, such that its location is considered in principle acceptable.

This assessment is mindful of the overall distances between the proposed building and neighbours. Houses in Chesterfield are around 30m from the end of the proposed northern wing, separated by their gardens of approx 12-15m length and the railway line. The widest part of the proposed four storey building is set back approx 35m from the site boundary, giving an overall separation of some 65m from neighbouring houses.

Mindful of these distances, it is not considered that the proposed building and 3m acoustic fence at the northern boundary (alongside new tree planting) could be regarded as overbearing or significantly impacted upon neighbouring sun-and-daylight.

In terms of privacy, the windows at the northern wing are to kitchenettes and hallways. These are to be obscure-glazed for all floors above ground floor, which can be ensured by use of a planning condition. This can also require that they are

unopenable, with some allowance for a kitchen fan light to open for ventilation above 1.7m height relative to internal floor level.

These arrangements are considered to safeguard neighbouring privacy even with the removal of the existing tall Lleylandii hedge, which will be replaced by new tree planting, although this is unlikely to form the continuous 'wall-effect' of the conifers, but a more filtered appearance. Long term maintenance arrangements can be required under planning condition, in accordance with the recent emphasis given in NPPF,2023

Balconies closest to the northern boundary are also to be fitted with privacy screens on their northern sides. Although the plans only show this for the set of northern balconies on the eastern side of the building, officers recommend that this should be extended to the column of north-western balconies. A planning condition can be applied.

The relationship between the proposals and future neighbours of the approved Bellway development are also considered to be acceptable. The closest corner of the southern wing being approximately 12-13m from their new rear boundaries. A column of secondary windows close to the internal south west corner of the building, would require obscure glazing by planning condition, to minimise risk of overlooking across the rear gardens of these new houses.

Buffer planting and close boarded fences along the site boundary will assist in softening the impact of the proposed car park upon these neighbours. The Environmental Health officer is satisfied with the location of the sub-station along this boundary, the acoustic performance (noise and vibration), can be subject of a planning condition

With regard to the existing neighbours to the south along Barrington Road, Walpole Avenue, Elgin Road and Roseberry Avenue, these are all well separated from the current application site by the intervening houses of the approved Bellway development and highly unlikely to be affected.

As such, it is considered that the proposed development would not materially harm neighbouring residential amenity in accordance with Local Plan Policy DM5.

### **Residential Amenity - Proposed Accommodation**

Worthing Local Plan Policy DM6 states that all new dwellings across all tenures will be expected to meet as a minimum the Nationally Described Internal Space Standards. The proposed one bedroom dwellings meet or exceed the minimum requirement of 50 SQM and the two bedroom dwellings exceed the required 61 SQM.

Proposed layouts include several dual-aspect apartments and only 8No. are single-aspect north-facing. However all are afforded large windows, which allows for good natural light for each dwelling. These windows are each positioned to ensure that dwellings would be afforded a reasonable view, many onto the communal

garden or towards the central Green of the Bellway development, immediately to the south.

Most of the proposed apartments (53 of 63) would have access to some form of private outdoor space via balcony or terrace, which are designed to be of a practical size, as recommended by the Council's Spaces Standards SPD. All residents would have access to the communal garden, with lawns, areas for sitting and spaces for gardening, including raised beds.

Given that the proposed dwellings meet the Nationally Described Space Standards and given all residents have access to communal amenity areas and dwellings are afforded with a reasonable level of outlook, the proposal is considered to accord with National and Local Planning Policies and guidance.

### ***Accessibility and Parking***

The Local Plan Policy DM15 states that in order to manage the anticipated growth in demand for travel, development proposals which promote an improved and integrated transport network with a re-balancing in favour of non-car modes as a means of access to jobs, homes, services and facilities will be encouraged and supported. This approach is supported by the NPPF, 2023.

According to predictions generated by use of national data, the proposal would generate 12 additional vehicle movements in morning and evening peak hours. The Highway Authority confirms that this does not give rise to any increase or material change over and above the previously consented 68-bed care home. The proposed layout of the site is suitable for cars, service vehicles, refuse collections and emergency vehicles.

County Council Guidance for Parking in New Residential Developments' (2020) does not include relevant standards for age-restricted housing such as the proposed for 70 years+. However, it recognises that parking demand will vary depending on accessibility.

In response to its location close to Durrington-on-Sea railway station, local buses and shop and health services at Strand Parade, (most directly accessed via the railway pedestrian bridge), the proposal is for a low ratio of parking spaces (0.5/dwelling), 32 on site car parking spaces. This compares with the 68no. Which would normally be recommended for the quantity and size of apartments for general occupation ( a ten percent reduction is permitted in highlight accessible locations = 61 spaces). A further addition would normally be sought for staff.

The probability of low parking demand, linked to age restricted accommodation, has been accepted previously, most recently at the Goring Street development, (referred to earlier in the Housing section of this report). Data collected by the applicant McCarthy & Stone indicates that rates of 0.45 - 0.55 spaces per dwelling are representative. This view has been accepted by the Highway Authority for the proposed demographic.

This approach relies upon limitation of the age of residents (70 years+) through the conditions of a planning permission. The applicant has agreed that this is reasonable.

### Sustainable Transport

In terms of other sustainable transport measures, it is evident that some residents are likely to drive or require access to a car. The applicant has been asked to consider participation in the Car Club provisions which are made for the wider HMRC site. This might entail provision of a period of paid membership and drive-time credit for drivers. An update will be given.

Cycle parking is provided by means of five internal cycle stands, which are to be housed in an integral mobility scooter store. This is below the normal requirement of 31no (0.5 per dwelling) of County Guidance, with a future ratio of 1 per four members of staff.

The applicant comments that a significant proportion of future occupiers will have limited mobility or ability to use a bicycle, thus the normal levels of provision would not be relevant. The Highway Authority raises no objection to this. However, in response to officer concerns at the lack of provision for visitors, the applicant agrees to provide three cycle stands close to the entrance porch.

A travel plan would be required to promote use of public transport and non-private-car modes.

In summary, the transport and parking implications and provisions are considered reasonable and in accordance with policies. An update will be given regarding the requested participation in the Car Club scheme for the wider HMRC redevelopment site.

### ***Drainage and Flood Risk***

The site lies within the lowest risk zone for river and tidal flooding (zone 1). Accordingly it complies with Local Policy DM20 - Flood Risk & Sustainable Drainage, which directs development away from areas of highest risk.

Also in accordance with policy DM20 and NPPF, 2023 the proposal uses a sustainable drainage (SuDS) for surface water. Areas of permeable paving are proposed, into which rainwater would pass, via an underground tank, into the wider SUDs system of swales and a pond of the Bellway area. Flow rates would be controlled by the size of the tank and outlet design.

The County Lead Local Flood Authority (LLFA) has required further and updated information, including account for climate change projections, in order to provide its final comment. An update will be given.

If the design approach is accepted by the LLFA, planning conditions would require detailed design and ongoing maintenance by planning conditions, and via management responsibilities which can also be captured in a legal agreement.

### ***Contaminated land***

Worthing Local Plan Policy DM22 states that developments should not contribute to or be put at risk from or be adversely affected by unacceptable levels of soil, air, water, artificial light or noise pollution. Where possible developments should help to improve local conditions.

The site's history is as a former office building and previously a brick quarry with possible made ground. Some distance to the west is the former gas holder site. Hence, as in the outline application the application is accompanied by a contamination study. Confirmation has been sought as to whether the area has undergone further investigations any level of remediation science buildings were demolished in 2022.

Pending this information, previous planning conditions to require detailed investigations and any arising remediations would be re-imposed, unless further advice from the Environmental Health officer recommends otherwise.

### ***Biodiversity and Landscape***

Worthing Local Plan Policy DM18 - Biodiversity, states that all planning applications should be supported by relevant up-to-date ecological information. Policy DM19 - Green Infrastructure, requires developers to seek opportunities on site to incorporate elements of green infrastructure on site to create and enhance biodiversity environments and to ensure developments provide a minimum of 10% net gain for biodiversity and where possible this should be provided on site.

The application is supported by a Biodiversity Assessment. This confirms that the site of the former office complex had very limited biodiversity contributing value. By contrast the proposals would include a soft landscaping regime with a mix of plant species, hedge rows surrounding the perimeter of the site and a large number of mixed tree varieties around the site.

This provides significant biodiversity gains in accordance with the Policies DM18 and DM19. To further increase the site's biodiversity gain, it is considered appropriate to impose a condition to require measures such as birds and bat boxes , also to ensure that proposed lighting would be designed in an ecologically sensitive and suitable way.

### ***Other Matters***

#### ***Air Quality***

An Air Quality Assessment has been submitted based upon the 2021 Outline permission, which tested a slightly greater quantum of the development of the overall HMRC land, including the current application site. This concluded a degree of air quality impact, which was to be mitigated either by payment or by on-site measures, such as the provision of car club vehicles (along with the lower ratio of car parking across the wider HMRC land).

The Environmental Health officer has asked for clarification of the current position in terms of the number of vehicle movements associated with the proposed apartments compared with the care home of the original outline approval.

Given the highway comments it is possible that any difference is small, but if a further mitigation need is identified (measures of a contribution), this could be added via an appropriate condition of obligation of a legal agreement. An update will be given on this matter.

### *Fire Safety*

The proposed development would be constructed in accordance with the relevant building regulations for fire safety. The County Council Fire Service officer has reviewed the application and raised no objections. It has been confirmed that a fire appliance could enter into and leave the site safely.

As requested by the Fire Service a planning condition can be included which requires provision of an additional fire hydrant, if need is identified at a later stage through the Building Regulations and Fire Safety approval process.

### *Archaeology*

As in the outline permission, an archaeology assessment recommends archaeological investigations, although the probability of finds is limited, particularly given the historic quarrying of the site. Confirmation has been sought as to whether this has already been undertaken following demolition works; if this is not the case the previously applied planning conditions to require this investigation, would be re-applied.

### ***Infrastructure and s106 Agreement***

Local Plan Policy DM9 requires that development should make provision for infrastructure required as a consequence. The following is a consideration of the factors of highways, drainage, health and services and open space.

The view of the Highway Authority is that the impact of the proposal on the highway network is acceptable. It requires no additional provisions to those previously secured by the wider development of the site; bus shelters in Shaftesbury Avenue, the improved pedestrian and cycle-path along Barrington Road and line marking changes at the Barrington Road / Shaftesbury Avenue junction.

Surface water SuDS drainage would link to the approved system of the wider HMRC site. Its ongoing maintenance is subject to a legal agreement, to which the proposed development can be joined-in.

Provision is also made in the wider development, for financial contribution to local health services. This was based on the 287 homes of the Bellway development and the 68 bed care home. No specific requirement is made for education due to the age restricted nature of the proposed dwellings.



In Worthing Borough education contributions, where required, are normally derived as part of the Community Infrastructure Levy (CIL). It is noted that CIL is not charged for Extra Care Accommodation.

Under Policy DM7, provision is normally required for open space, using the calculation method of the Open Space, Recreation &, Leisure Guidance Note, 2021. In this case, the question has arisen as to whether open space requirements generated by the proposed 63no. age-restricted apartments, differ from those of the 68-bed care home of the original outline permission.

In consideration of this it is noted that needs for elements such as children’s and youth play are highly unlikely or indirect. It is also recognised that an open space & recreation contribution was made for the outline permission. In addition, given the overall assessed viability profile of the application, the applicant indicates that any additional open space contribution would diminish the amount available for affordable housing. On balance therefore it is not recommended that an addition be sought but that management arrangements for open space within the site can be joined into via a legal agreement.

In summary, the application can be required to make provisions via a legal agreement for the matters contained in the table below. Legal advice has been sought on the extent and nature of agreement, where and if needed for those matters such as maintenance of open space, drainage and any public realm, which are covered by the s.106 Agreement of the outline scheme.

### **S.106 Obligations Table**

<b>Issue</b>	<b>Obligation</b>
<b>Affordable Housing</b>	Contribution of £135,000 towards off-site provision
	A mechanism to allow for reappraisal.
<b>Transport</b>	Car Club. Provision a period of paid membership and a £50 drive credit per household  Implementation and Monitoring of Travel Plan with auditing / monitoring payment (£1,500) to County Highway Authority.
<b>Site Management</b>	To include:  Surface Water Drainage;  Outdoor Spaces, Public Open Space and Public Realm

	Monitoring of Travel Plan.
<b>Air Quality Mitigation*</b>	<p>Payment or agreed measures [£xx. ] prior to occupation unless it is first agreed that air quality mitigation measures have reached or exceeded that value.</p> <p><b>*This obligation will only be required if recommended by Environmental Health officer</b></p>

### **Summary**

In summary the applicant is in accordance with policies, which support the provision of accommodation for older people, including a degree of care and at densities in excess of 100/ha. Therefore there is no in principle objection to this full planning application, which would supplant the previous outline approval for a care home.

The size of the three - four storey building for 63 apartments is larger than the likely size of a two-three storey, 68 bed care home. However, in the context of the approved five storey apartments alongside the site, this is considered acceptable.

A provision for affordable housing can be secured by legal agreement. The amount offered would equate to approximately 2.5 affordable apartments off-site, or approx. 4% by comparison with the policy target of 20%. This has been tested and reviewed by a viability assessment, which concludes that costs and sales values preclude a full affordable provision.

Further advice from the Council's consultant will be provided, concerning the differences of view regarding predicted sales values, which have informed the current offer. The option of a s106 mechanism is under discussion.

The scale of the building will be perceived by neighbours to the north, but much of it is set well away from the northern boundary with the narrower northern wing some 30m away and with minimal windows which would be obscure glazed, and balconies also to be screened. This is considered to minimise impacts on privacy and light. Replacement trees will also provide some visual filter in the medium-longer term.

The flat roofed design and use of considered brickwork variations and detailing, would create a distinctive appearance, differing from the pitched roofs of the Bellway buildings and forming a landmark backdrop to the central open space.

Apartments all meet or exceed space standards and although several are single aspect, and eight of these face north, this is hard to avoid given the log t-shaped footprint. However, large windows help in providing good natural light, most apartments have an individual balcony or terrace and all have access to the large communal rear garden and nearby central open space.

The sustainable location, close to transport and services, supports the relatively low parking provision, alongside the anticipated lesser need for the target age group, in keeping with the applicant's evidence. In pursuance of sustainable options, it is hoped that the applicant will agree to join into the car club provided to the wider HMRC site development, for the benefit of older people who wish to drive.

Sustainable drainage would link to the approved Bellway system, subject to the further information required by the County LLFA. Open space provisions are considered satisfactory, given the age limitation of the proposed apartments. This limitation would be secured by a condition of planning permission, without which CIL would also become payable.

Sustainable energy predictions are well in excess of the 20% CO2 saving in planning policy. Subject to the confirmation of the percentage of on-site renewable energy via solar and Air Source Heat Pumps, the proposals demonstrate good sustainability credentials, along with biodiversity gains.

In the overall planning balance, subject to the remaining consultation responses and information (Environmental Health, drainage, waste services and tree officer) and the further viability advice, the application is considered acceptable.

**Recommendation: APPROVE Subject to consideration of any further representations received by the end of 17th October 2023, the receipt of satisfactory comments from remaining consultees and the completion of a satisfactory section 106 Obligation.**

**Subject to 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.

*[Plans to be inserted]*

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

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

**Reason:** *To comply with Section 91 of the Town and Country Planning Act 1990.*

**Occupancy Age**

3. The development hereby approved shall comprise retirement accommodation only and not be occupied by any persons under the age of 70 years old other than spouses and partners.

**Reason:** *The retirement accommodation is purpose built as such and to ensure parking supply meets parking demand and sustainable transport requirements, infrastructure and open space Policies DM7, DM9, & DM15 of the Worthing Borough Local Plan 2020 - 2036 and the WSCC Guidance on Parking at New Developments, 2020.*

#### Materials

4. Development works shall not progress beyond foundation/slab level unless and until samples and a schedule of materials and finishes to be used for the external walls (including windows, doors and balconies) and roof of the proposed building, and external hard surfaces, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved samples and schedule.

**Reason:** *In the interests of visual amenity and to comply with policy DM5 of the Worthing Borough Local Plan 2020 - 2036 and NPPF, 2023.*

#### Design Details

5. Development works shall not progress beyond foundation/slab level unless and until scaled drawings and sections at a scale not less than 1:10 showing the detailed design and profiles of the proposed balcony structures, entrance porch, window reveals, gazebo and pergola garden structures 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 agreed design details.

**Reason:** *To safeguard the character of the area having regard to policy DM5 of the Worthing Borough Local Plan 2020 - 2036 and NPPF, 2023.*

#### Obscure Glazing and Screening

6.
  - i) The building hereby permitted shall not be occupied until obscure glazing has been installed in kitchen and hallway windows at first floor levels and above in the northern elevation of the northern wing of the building and these windows shall be permanently fixed and openable, (other than kitchen windows which may open above 1.7m above internal floor level), 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 north,
  - ii) Apartments *[insert numbers]* shall not be occupied until details of balcony screens for the northern sides of their respective balconies 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 north,

iii) Apartments *[insert numbers]* until obscure glazing has been installed in secondary lounge/diner/sitting room windows and hallway windows at first floor levels and above in the western elevation these windows shall be permanently fixed and openable up to a height of at least 1.7m above internal floor level so as to minimise risk of overlooking of neighbours to the west,

All obscure glazing in i) - iii) above shall provide a degree of obscuration equivalent to Pilkington 4 or similar index, (including the balcony screen at ii) if glass is used). The screens and obscure glazing and balcony shall be permanently retained and maintained in accordance with the details thereby approved. This condition shall apply notwithstanding any information contained in the current application.

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

#### Biodiversity

7. Unless otherwise approved in writing by the Local Planning Authority no dwelling shall be first occupied unless and until the ecological mitigations and enhancements listed in Sections 6-9 of the Ecological Impact Assessment (Ref: 5721) by Abbas Ecology (dated Dec 2022) have been implemented on the site.

**Reason:** *To enhance the ecology of the site and secure gain in biodiversity in accordance with DM18 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023*

#### Landscaping and Trees, including Maintenance

8.
  - a) Within 3 months of commencement of development works a detailed landscaping scheme of soft and hard landscaping, in conformity with the submitted Landscape Proposals Drawing MCS759/Drg01 P3 which shall include details including size and species of not less than 25no. new trees to be planted, and sizes and densities of other planting, shall be submitted to and approved by the Local Planning Authority.
  - b) Within 3 months of commencement of development works a detailed scheme of site preparation to enable effective establishment of new planting and long-term aftercare, including trees and future tree pruning regime to shall be submitted to and approved by the Local Planning Authority.
  - c) Development shall only be carried out and occupied in accordance with the details approved under a) & b) above and shall be permanently adhered to. The approved details of hard landscaping shall be completed prior to occupation of the building and all planting shall be completed during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.
  - d) Any trees or plants comprising part of a) - c) above, 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.

**Reason:** *To ensure a well landscaped development in the interests of amenities and biodiversity and to ensure maintenance, including new trees and their effectiveness in screening to the northern boundary in accordance with Policies DM5, DM6, DM9, DM18 and DM19 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

#### *Means of Enclosure*

9. Details of boundary and screen walls and/or fences, (including the acoustic fence) and gates and bollards shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied unless and until such walls and/or fences and gates and bollards have been erected and they shall thereafter be retained permanently.

**Reason:** *In the interests of amenity in accordance with Policies DM5, and DM6 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023.*

#### *Recycling and Waste*

10. No dwelling shall be occupied until the associated communal facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the details shown on the approved plans. Such facilities as provided shall thereafter be retained and used only for the storage of refuse and recycling waste.

**Reason:** *To ensure adequate waste management infrastructure in accordance with Policies DM9 and DM16, of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023*

#### *External Lighting*

11. Details of any external lighting to be fixed or fitted to the building and/or installed within the grounds shall be submitted to and approved in writing by the Local Planning Authority before the building hereby permitted is occupied. Thereafter, any external lighting shall adhere with the approved details.

**Reason:** *In the interests of residential amenity and security and to manage impacts on biodiversity in accordance with Policies DM5 & DM18 of the Worthing Borough Local Plan 2020 - 2036 and the NPPF, 2023*

#### *Sustainability & Energy*

12. a) The development hereby approved shall incorporate the following sustainable energy and heat management measures, in accordance with the Energy & Sustainability Statement by Focus Ltd. May 2023 to include:

- i) Targets and calculations for CO2 and Energy efficiencies
- ii) Energy efficient building fabric,
- iii) LED internal and external lighting,
- iv) Provision of Air Source Heat Pumps and associated space and water heating systems,
- iv) Provision of solar panels to satisfy at least 10% of the development's energy demand
- v) Mechanical Ventilation with Heat Recovery System (MVHR), with summer bypass
- vi) Efficient water goods and fixtures to achieve less than 110L per Person per day.
- vii) Provisions to minimise risk of overheating and consequent associated energy usage.

The development shall be implemented and maintained in accordance with the details thereby approved, including the updated calculations, unless the Local Planning Authority gives prior written approval for any variation.

b) 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 below the baseline model including renewable energy, as identified in the submitted Energy & Sustainability Statement, (and that overheating management has not diminished this target CO2 reduction), and confirming the installation of water goods and fixtures to achieve a target of less than 110L per Person usage per 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:** *In the interests of clarity, to ensure the submission of an updated Strategy for approval and to ensure that the development is sustainable and makes efficient use of energy, water and materials to achieve CO2 reductions in accordance with policies 16 & 17 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Access

13. No part of the development shall be first occupied until such time as the vehicular accesses serving the development have been constructed in accordance with the details shown on the drawing titled *[insert]*

**Reason:** *In the interests of highway safety.*

#### Car and Cycle Parking

14. No part of the development shall be first occupied until the car and secure cycle parking has been constructed in accordance with the approved site and floor

plans, including the provision of electric charging points and cabling to all parking spaces. These spaces and secure cycle parking shall thereafter be retained at all times for their designated use.

**Reason:** *To provide car and cycle parking space in accordance with policy 15 of the Worthing Local Plan 2020-2036.*

#### Travel Plan

15. No part of the development shall be first occupied until such time as a (Sustainable) Travel Information Pack has been submitted to and approved in writing by the Local Planning Authority and this shall be fully implemented and adhered to in use of the development hereby approved.

**Reason:** *To promote sustainable modes of transport in policy 15 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Drainage - Foul and Surface Water

16. Construction of the development shall not 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.

**Reason:** *To ensure the development is satisfactorily drained. In accordance with policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Drainage - Surface Water, also Control of Infiltration / Pollution.

17. a) Development shall not commence, other than where necessary for 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. 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. No building / 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.
- b) 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:** *To ensure the development is satisfactorily drained and to safeguard against risks of pollution controlled waters if infiltration is inappropriately used or designed. To accord with policies DM9 & DM20, DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Drainage - As Built Details

18. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, 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 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 in perpetuity.

**Reason:** *To ensure the development is satisfactorily drained and managed. In accordance with policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Drainage - Management

19. Development shall not commence, other than where necessary for site survey and investigation, 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. The manual is to 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, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

**Reason:** *To ensure the development is satisfactorily drained and managed. In accordance with policies DM9 & DM20 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Piling - Approval of Method / Groundwater Protection

20. Piling works and use of penetrative methods shall not be carried out unless details and methods,, including the management or risks to groundwater / the water environment, and first been submitted to and approved in writing by the Local Planning Authority and such works shall be carried out only in accordance with the approved details.

**Reason:** *To ensure the development is satisfactorily drained and to safeguard against risks of pollution controlled waters if infiltration is inappropriately used or designed. To accord with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

## Remediation - Method

21. Development shall not commence, other than where necessary for site survey and investigation, unless and until the following components of a scheme to deal with the risks associated with contamination of the site has 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 in accordance with the details thereby approved.

**Reason:** *To manage risks from any land contamination and to prevent pollution of groundwater and in the interests of environmental protection and public health and safety, To accord with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

## Remediation - Verification

22. Prior to occupation of the development, 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 ensure that the site does not pose a 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 in accordance with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Remediation - Precaution

23. If, during development, contamination not previously identified is found to be present then no further development shall be carried out (unless otherwise agreed in writing by the Local Planning Authority) 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 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. In accordance with policies DM21 & DM22 of the Worthing Local Plan 2020-2036 and paragraph 183 of the NPPF, 2023.*

#### Kitchen Ventilation & Air Moving Equipment

24. Prior to the use of the kitchen serving the communal dining/lounge area, or any other communal kitchen, details of measures to minimise odour and noise, shall be submitted to and approved in writing to the Local Planning Authority. This shall include details of any external vents and any associated air moving equipment and filters, including their acoustic performance and mountings, to avoid risk of odour, noise or vibration. These details shall be implemented prior to the use of the kitchen and retained and maintained permanently thereafter.

**Reason:** *To minimise the risk of nuisance to residents and neighbours associated with use of the kitchen and catering, in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Ventilation

25. Construction work shall not progress beyond foundation/slab level until a detailed ventilation plan for the development has been submitted to and approved by the local planning authority. The internal noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work as well as the units should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

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

#### External Plant

26. No external fixed plant, or mechanical vent or duct, or external Air Source Heat Pump 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.*

#### Aerials

27. 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 in accordance with policy DM5 of the Worthing Local Plan 2020 - 2036.*

#### Fire Safety

28. 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. All hydrants shall be provided in accordance with the details thereby approved, prior to the occupation of the development.

**Reason:** *In accordance with policy DM9 of the Worthing Local Plan 2020-2036 and the NPPF, 2023. and in accordance with The Fire & Rescue Service Act 2004.*

#### Construction Management Plan

29. 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:

- i) the anticipated number, frequency and types of vehicles used during construction;
- ii) the method of access and routing of vehicles during construction;
- iii) the parking of vehicles by site operatives and visitors;
- iv) the loading and unloading of plant, materials and waste;
- v) the storage of plant and materials used in construction of the development;
- vi) the erection and maintenance of security hoarding;
- vii) 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);
- viii) details of public engagement both prior to and during construction works.
- ix) Details of liaison with the adjoining developer in executing planning permission AWDM/0605/22, to ensure a coordinated approach to site management, deliveries and traffic.

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

#### Hours of Work

30. 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 policies DM5 and DM22 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

#### Archaeology

31. i) No development or demolition works within each phase shall commence until a Written Scheme of Investigation (below-ground archaeological investigation and recording), for that phase, which should include 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 in accordance with policies DM23 and DM24 of the Worthing Local Plan 2020-2036 and the NPPF, 2023.*

11 October 2023

**Local Government Act 1972  
Background Papers:**

As referred to in individual application reports

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