

Application Number:	AWDM/0786/23	Recommendation - APPROVE subject to a planning obligation and the receipt of remaining comments from Consultees.
Site:	Site of Former HM Revenues and Customs and Land South of HM Revenues And Customs, Barrington Road Worthing	
Proposal:	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.	
Applicant:	McCarthy Stone	Ward: Goring
Agent:	The Planning Bureau Ltd	
Case Officer:	Stephen Cantwell	

The Planning Service Manager outlined the application, addendum and email update received the day of the meeting regarding the contribution. He clarified that the applicant had increased their offer of a contribution to affordable housing from £135,000 to £240,000 and that the council's independent viability consultants had agreed this was acceptable. He also confirmed that comments were still being awaited from Environmental Health regarding air quality and the recommendation within the report was subject to those comments being satisfactory.

Members had questions for the Officer regarding the Construction Management plan and requested that an specific dust management aspect be added.

Regarding the Leylandii trees that were to be removed, Members asked the Officer if it could be specified that they be replaced with mature trees as opposed to saplings and the Officer confirmed that there was a condition attached to the recommendation that contained that requirement.

Members had queries regarding aspects of the Travel Plan, Including if it pertained to both Staff & Residents and whether there was any update on the Car Club scheme. It was also voiced that the plan should focus on a wider variety of sustainable travel options than it currently did. The Officer clarified that the Travel Plan was for all site users and, as yet, there was no update on the Car Club scheme. He also informed members that the Travel Plan was an evolving document that could be altered as needed.

Members addressed the need for the conditions to specify acceptable delivery hours to the restaurant and the Officer confirmed that this could be added as a new condition.

The Officer also confirmed for Members that the parking on the development would only be for residents and staff and reiterated that the County Council considered there to be adequate parking for the site's use. If it became apparent that there was a problem with the level of parking at a later date, this could be addressed within the Travel Plan.

There were two speakers who gave representations in objection to the application. They raised concerns regarding the loss of trees, the height of the development and the planned fence, over development of the site and excessive pressure on the surrounding infrastructure particularly the potential increase of road users.

There was one registered speaker, the Agent, who gave a representation in support of the application. He reiterated points raised by the Planning Officer and explained that the developer, having built other similar schemes in the area, were experienced in estimating the amount of traffic produced by an extra care development such as this, and it was typically less than other schemes, due to the average age and needs of potential residents. In response to members queries he explained the staffing levels expected at the scheme.

During debate members agreed that the affordable housing contribution increase was very favourable. Where levels of parking had been a concern, having heard from the agent, for most members, their fears had been put to rest. However, as parking was to be limited to 32 spaces on the site, other members suggested that family and friends would potentially visit by car and so more details of the travel plan would be welcomed.

It was also noted that these units were not to be inexpensive accommodations and although mixed accommodations needed in the area, there is no guarantee that these units would be occupied by local people.

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

Decision:

Recommendation to grant permission agreed subject to:

- consideration of any further representations received by 17 October
- the receipt of any comments from remaining consultees
- the completion of a Section 106 obligation with the affordable housing contribution amended to £240,000
- addition to condition 29 to include additional clause (x) in relation to the submission of details of dust suppression measures
- additional condition 32 requiring deliveries to the restaurant to be limited to between the hours of 0800 and 2000 hours each day

Also 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 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.*