Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/0165/FULL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER 1995

Mr M J O'Brien
61 Church Road
Worthing
West Sussex
BN13 1HB

PROPOSAL: Erection of a three bedroom house to side of property.

LOCATION : 74 Upton Road Worthing

DATE REGISTERED 24th February 2009

APPLICANT : Randall & Chisnall Limited

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the site location plan – UP/LOC/2, block plan, existing plans – elevations 02/09, proposed site layout – UP/SLP/1, proposed floor plans 02/09, proposed elevations 02/09, drainage plan – UP/BR/2 which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

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

   Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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Dated : 21st April 2009

Executive Head of Planning,
Regeneration and Wellbeing

Note: Your attention is drawn to the notes and advice overleaf.

2. The materials and finishes of the external walls and roof of the attached new dwelling hereby permitted shall match those on the existing dwelling, No. 74. The development shall not commence until samples and details of the materials to be used, including the tile to be used to tile-hang the first floor front elevation of No. 74, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be completed fully in accordance with the approved plans and the agreed materials.

   Reason: In the interests of visual amenity.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the dwelling shall not be extended or materially altered in any way unless permission is granted by the Local Planning Authority in an application on that behalf.

   Reason: In the interests of residential and visual amenity.

4. The dwelling hereby permitted shall not be occupied until the parking space shown on the approved plans has been provided and constructed. The parking facilities so provided shall not thereafter be used for any purpose other than the parking of vehicles.

   Reason: To ensure that adequate provision is made for parking vehicles clear of the highway.

5. Secure cycle parking facilities shall be provided within the curtilage of the site, precise details of which, including their number and siting, shall be agreed in writing with the Local Planning Authority prior to the commencement of the works. Such agreed facilities shall be provided on site prior to the dwelling hereby approved being occupied.

   Reason: To encourage and provide for a non car mode of transport to and from the site.

6. The dwelling shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway in Lincett Avenue has been laid out and constructed to a specification to be agreed in writing with the Local Planning Authority.

   Reason: In the interests of highway safety.

7. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be implemented between the hours of 8.00 a.m. and 6.00 p.m. inclusive.

   Reason: To safeguard the amenities of the occupiers of neighbouring properties.

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8. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping to the front garden area. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants 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. All hard landscaping shall be provided prior to the occupation of the development hereby permitted.

   Reason: In the interests of amenity and of the environment of the development.

9. The access to the proposed site/dwelling shall not exceed 3 metres in width and shall be laid out to provide pedestrian visibility splays on each side of the access. These splays shall be 2 metres by 2 metres on each side of the proposed access based on the existing highway boundary. No other work shall be carried out on the site until the above-mentioned splay areas have been provided. Thereafter, the said splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metre above the level of the adjoining carriageway.

   Reason: In the interests of highway safety.

10. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development and its construction which should ensure the new dwelling attains Sustainable Homes Code Level 3, have been submitted to and approved by the Local Planning Authority. Such measures to include energy efficiency in construction and use of building materials; the use of daylight, sunlight and natural air flows to provide heating and ventilation for the building; re-use and recycling of water and rainwater, composting of domestic food and garden waste; use of solar and wind energy and incorporation or utilisation of recycled building materials and excavated material and ecological restoration and enhancement of the site, including provision of bat and bird nesting boxes, as appropriate. The development shall not be built or constructed other than in full accordance with any such approval.

    Reason: To maximise the opportunities for sustainable design in accordance with West Sussex Structure Plan policies DEV1 and ERA2 by improving the energy efficiency of the building and reducing demands on natural resources and waste generation and enhancing wildlife habitats in accordance with West Sussex Structure Plan policy ERA2 and Government guidance in PPS9: Bio-Diversity and Geological conservation; PPS22 Renewable Energy; and PPS10 Planning for Sustainable Waste Management.

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11. If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement dwelling how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

Reason: To ensure that any ground contamination is properly remediated in the interests of amenity and the environment.

INFORMATIVES

1. The proposed development remains an acceptable form of residential infilling within the built-up area and would help meet the need for additional housing without detracting from the existing local environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Worthing Local Plan 2003 and the West Sussex Structure Plan 2001 – 2016 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H18 - Amenity of Residents
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
DEV1 - High Quality Development
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA1 - Making the best use of land
LOC1 - Locational strategy
NE1 - Level of residential and employment development

This information is only intended as a summary of the reasons for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Reception at Portland House, Richmond Road, Worthing.

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2. The applicant is advised that the new access hereby approved should not be used until the crossing between the site and the adjoining carriageway has been constructed to a specification to be agreed with the Southern Area Highway Engineer of West Sussex County Council at the Southern Area Office, Clapham Common, Clapham, West Sussex, BN13 3UR, (Telephone: Patching (01243) 642105).