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Development Control

PLANNING PERMISSION

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

APPLICATION NUMBER: ADC/0531/08

Mr Andrew Wilford
Barton Willmore
35 Kings Hill Avenue
Kings Hill
West Malling
Kent
ME19 4BW

Details of Development
DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE 26 DWELLINGS (OF WHICH AT LEAST 30% ARE AFFORDABLE UNITS) WITH 40 PARKING SPACES AND ASSOCIATED LANDSCAPING UTILISING THE EXISTING ACCESS FROM ELM GROVE (FORMERLY ST GILES DAY CARE CENTRE)

Location of Development
THE ELM GROVE CENTRE ELM GROVE LANCING WEST SUSSEX BN15 8QH

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 10th November 2008.

This is for reasons stated on the attached schedule and subject to compliance with the conditions specified thereon.

Your copy of the application, determined as above, is returned herewith for your records.

James Appleton
Executive Head of Planning, Regeneration and Wellbeing

17/03/2009

SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and would help meet the need for additional housing, including affordable housing, without detracting from the local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AG3, AH2, AH5) and the West Sussex Structure Plan 2001-16 (LOC1, NE1, CH1, ERA1, DEV1, DEV3-5).

Conditions

01. 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.*

02. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be occupied until such walls and/or fences have been erected.

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

03. The buildings shall not be occupied until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the premises concerned.

Reason: *To ensure adequate provision for parking clear of the highway and to comply with policy DEV4-5 of the West Sussex Structure Plan.*

PTO

04. No use of the vehicular access shall take place until a satisfactory kerb and pavement crossing between the boundary of the site and the adjoining carriageway has been constructed. The requisite specification can be obtained from the Area Highway Engineer, WSCC Southern Area Office, Clapham Common, Clapham, Worthing, West Sussex BN13 3UR. There shall be no drainage of surface water from the property onto the highway.

Reason: *In the interests of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

05. The buildings hereby permitted shall not be occupied until space has been laid out within the site in accordance with the details shown on the submitted plans for the turning of vehicles clear of the public highway and such space shall thereafter be retained for such use.

Reason: *In the interest of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

06. No occupation of the development hereby approved shall take place (unless otherwise approved by the Local Planning Authority) until the existing 'No Waiting at Any Time' restriction in Elm Grove has been extended to include the part of the road opposite the site access in accordance with the recommendations set out within the Stage One Safety Audit and in accordance with plans and details to be submitted and approved by the Local Planning Authority.

Reason: *In the interests of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

07. No construction work shall be carried out on site unless there is available within the site in accordance with details approved by the Local Planning Authority provision for temporary parking and loading/unloading of all Contractors vehicles, and for Contractors buildings, plant, and stacks of materials and such provision shall be retained for these purposes throughout the period of work on the site.

Reason: *In the interests of highway safety and amenity and to comply with policy DEV4-5 of the West Sussex Structure Plan.*

08. No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated at all times during the construction period to ensure that vehicles do not leave the site carrying earth, mud or other material on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: *In the interest of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

PTO

09. 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 landscaping which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. 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, and 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.

Reason: *In the interests of visual amenity and the environment and to comply with policy AB25-27 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

10. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roofs of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

11. No external lighting or floodlighting shall be installed except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy AP9 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

12. No development shall be carried out until all buildings and structures existing on the application site at the date of this permission (except boundary walls or fences) have been demolished, the debris removed from the site and the site cleared.

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or any incidental building (exceeding 10 cubic metres in volume) erected within its curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: *In the interests of amenity and the environment and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

PTO

14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), no first-floor windows or other openings (other than as hereby approved) shall be formed in the east side walls of the houses on plots 2 and 25 without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: *To prevent overlooking and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

15. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy DEV1 of the West Sussex Structure Plan and G12 of the West Sussex Waste Local Plan Deposit Draft.*

16. The development hereby permitted shall not be commenced until details of the proposed drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.

Reason: *To ensure adequate drainage and to comply with policy AP4 of the Adur District Local Plan and ERA4-5 & DEV3 of the West Sussex Structure Plan.*

17. No development shall be commenced until the developer has carried out an investigation to assess the degree of ground contamination on the site and its pollution potential. The method and extent of investigation shall be agreed beforehand with the Local Planning Authority. Where contamination is identified appropriate remedial measures (including monitoring provisions) shall be undertaken prior to commencement of development in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *To safeguard against public health and safety risk and to comply with policy ERA5 of the West Sussex Structure Plan.*

18. This permission relates to amended plan TSP 193-04-C received on 16 March 2009, in addition to the plans originally submitted (other than TSP 193-04-B).

Reason: *For the avoidance of doubt and because the application as originally submitted was unacceptable having regard to policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*