Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0993/FULL

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

Mr P Burgess
Lewis & Co Planning
Paxton Business Centre
Portland Road
Hove
East Sussex BN3 5SG

PROPOSAL: Removal of existing garage rear of Nos. 33 and 34 St. Matthews Road and construction of new single storey dwelling.

LOCATION : 33 St Matthews Road Worthing

DATE REGISTERED 8th December 2010

APPLICANT : Mr C Murgatroyd

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the approved plans 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 five years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans except as where specified in any other condition attached to this permission:-

   Drawing Nos. 01-01, 02-01 A, 02-02 A, 02-03 A and 02-04 A.

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

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Dated : 10th February 2011

Executive Head of Planning,
Regeneration and Wellbeing

Note: Your attention is drawn to the notes and advice overleaf.
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3. No development shall take place until details of the screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until such screen walls or fences as may be agreed have been erected.

   Reason: In the interests of amenity.

4. The development hereby permitted shall not be occupied until the parking provision shown on the approved plans has been provided and constructed. The parking area so provided shall thereafter be retained and only used for these purposes unless otherwise agreed by the Local Planning Authority in an application on that behalf.

   Reason: To ensure that adequate parking and manoeuvring facilities are provided and retained to serve the development hereby permitted and in the interests of visual amenity.

5. The development hereby permitted shall not commence until details of the materials to be used for surfacing the car park area, have been submitted to and approved in writing by the Local Planning Authority. The car parking area shall then be surfaced only in accordance with such details as may be agreed prior to first occupation.

   Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily drained in accordance with saved local plan Policies RES7, BE1 and H18.

6. The cycle parking shown on the approved plan shall be provided on site prior to first occupation and thereafter retained.

   Reason: To provide an alternative and sustainable means of transport and in accordance with saved local plan Policy TR9.

7. The access from the site to the public highway shall be designed, laid out and constructed with visibility splays and sight lines in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any building or use authorised by this permission is commenced.

   Reason: In the interests of highway safety and in accordance with saved local plan Policy TR9.

8. 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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9. 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, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during 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. 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.

10. The development hereby permitted shall not commence unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be completed fully in accordance with the agreed materials.

    Reason: In the interests of visual amenity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the building shall not be extended or altered in any way (including the provision of outbuildings, or the insertion of windows, doors or other openings into the building) unless permission is granted by the Local Planning Authority in an application on that behalf.

    Reason: In the interests of visual amenity and to safeguard the amenities and privacy of the occupiers of adjoining properties in accordance with saved local plan Policies BE1, H16 and H18.

12. No construction work shall be carried out on the site unless and until there is available within the site, provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the building operations on the site. Details of such provision shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The facilities as may be agreed shall be provided and retained throughout the entire period of construction work on the site.

    Reason: In the interests of highway safety and visual amenity.

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13. No development shall be carried out on the site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, to accommodate all temporary contractor's buildings, plant and stacks of materials associated with the development. Such provision as may be agreed shall be retained for these purposes throughout the entire period of construction work on the site.

    Reason: In the interests of highway safety and visual amenity.

14. On installation the cill level of all side windows shall be a minimum of 1.65 metres above finished internal floor level.

    Reason: In order to safeguard the privacy of the occupiers of adjoining occupiers in accordance with saved local plan Policies H16 and H18.

15. 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 detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

    Reason: The site has the potential to contain contaminated material and suitable precautions are required in the interest of health and safety in accordance with saved Worthing Local Plan Policies RES7 and RES9.

16. Clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic only shall be permitted as infill material.

    Reason: To prevent pollution of contaminated waters in accordance with saved local plan Policies RES7, RES9 and RES10.

17. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until all drainage works have been carried out and completed in accordance with such details as may be approved by the Local Planning Authority.

    Reason: To ensure that the proposed development is satisfactorily drained.

18. Prior to commencement of the development hereby approved, details of the finished ground levels around the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained fully in accordance with the agreed details.

Reason: In the interest of visual and residential amenity in accordance with saved local plan Policies BE1, H16 and H18.

INFORMATIVES

Reason for approval

1. Planning permission has been previously granted for similar developments in March 2007 and March 2010. As matters have not changed materially on site or in policy terms since this latest grant of planning permission the application is approved.

In the previous approvals Members considered that the modern design concept, carried through in this scheme, represented an exceptional standard of design which is innovative and sustainable. They noted the lack of objection from the Conservation Area Advisory Committee and considered that the proposal would preserve or enhance the character or appearance of the Conservation Area and would accord with Policy BE6 of the South East Plan.

This decision is mindful of local concerns generally. However, it considered that the principle of residential redevelopment is acceptable on this brownfield site in the urban area .The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing 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 saved Policies BE1, H18 and TR9 of the Worthing Local Plan and the South East Plan Policies SP3, CC1, CC6, H1, H2, H4, H5, T4 and SCT5.

2. Contamination

The developer should be aware that the private garage occupying the site has been in unregulated use since its erection in the 1950's. There is a potential for this type of land use to cause contamination. During development of land potentially affected by contamination, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on site.

3. Demolition/Sustainability

Due consideration should be given to the possibility of reusing and/or recycling materials produced as a consequence of demolition. All waste must be disposed of by an appropriately licensed carrier and taken to an appropriately licensed disposal site under the relevant Duty of Care Waste Regulations. Further information can be obtained from the following link: www.environment-agency.gov.uk/business/sectors/32709.aspx

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.