Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/0046/FULL

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

Mr Phil Rowe
Melton Lodge
Rusper Road
Newdigate
Surrey RH5 5BX

PROPOSAL: Demolition of existing dwelling and proposed redevelopment of the site with 6 flats and associated site works.

LOCATION : 19 Ripley Road Worthing

DATE REGISTERED 28th January 2009

APPLICANT : Mr J McCabe

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 9207:5A and 9207:6A, 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.

2. The lower panes of the ground and first floor windows on the side (west and east) elevations of the rear element of the new block hereby permitted shall be obscure glazed and non-opening and they shall not subsequently be altered in any way without the prior consent of the Local Planning Authority in an application on that behalf.

   Reason: To protect the amenities and privacy of the occupiers of the adjoining properties in accordance with Saved Worthing Local Plan Policy H18 and Saved West Sussex Structure Plan Policy DEV1.

[redacted]

Dated : 23rd March 2009

Executive Head of Planning,
Regeneration and Wellbeing

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

3. Provision shall be made for combined aerial facilities and/or cables to serve all flats within the development hereby permitted.

   Reason: In the interests of visual amenity in accordance with Saved Worthing Local Plan Policy BE1 and Saved West Sussex Structure Plan Policy CH1.

4. Prior to the flats hereby approved being occupied, refuse and domestic waste recycling and composting storage facilities shall be provided for the flats in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

   Reason: To ensure satisfactory facilities for the storage and disposal of domestic refuse and recycling, including composting, in the interests of hygiene, minimising land fill and visual amenity in accordance with Saved Worthing Local Plan Policy BE1 and Saved West Sussex Structure Plan Policy DEV1.

5. 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: To ensure that any ground contamination is properly remediated in the interests of amenity and the environment in accordance with Saved Worthing Local Plan Policy H18 and Saved West Sussex Structure Plan Policies DEV1 and ERA5.

6. No dwelling shall be occupied until the car parking spaces and cycle storage facilities shown on the approved plans have been provided and constructed. The car parking and cycle storage 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 in accordance with Saved Worthing Local Plan Policy TR9 and Saved West Sussex Structure Plan Policies DEV4 and DEV5.

7. 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.

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8. The development shall not commence unless and until provision has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority in respect of surface water drainage from the site.

   Reason: To minimise flood risk in accordance with Saved West Sussex Structure Plan Policy ERA4.

9. No development shall take place unless and until a scheme for the suppression of dust during demolition and construction has been submitted to and agreed in writing by the Local Planning Authority in accordance with BRE/DTI BR456 "Control of dust from construction and demolition activities" 2003. The scheme as may be agreed shall be implemented throughout the entire course of demolition and construction unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Saved Worthing Local Plan Policy H18.

10. The development shall not be commenced unless and until space has been laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority for the loading and unloading of vehicles and the parking of delivery vehicles clear of the public highway. Such space as may be agreed shall not thereafter be used for any purpose other than for the purposes for which it is provided.

    Reason: In the interests of highway safety.

11. 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.

12. 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

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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 in accordance with Saved Worthing Local Plan Policies BE1 and H18 and Saved West Sussex Structure Plan Policies CH1 and DEV1.

13. The development hereby permitted shall not be commenced unless and until details of the following have been submitted to and approved in writing by the Local Planning Authority :

a) Finished floor levels and eaves and roof ridge heights of the new block in relation to existing ground levels as identified from a site survey and nearest datum point
b) Windows, doors and rooflights
c) Porch
d) Quoins
e) Gables
f) Chimney
g) String courses
h) Eaves

The development shall not be built other than in full accordance with any such approval.

Reason: To ensure a high quality appearance and to avoid the block appearing overbearing in accordance with Saved Worthing Local Plan Policies BE1 and H18 and Saved West Sussex Structure Plan Policies CH1 and DEV1.

14. The development hereby permitted shall not commence unless and until details of the boundary treatment have been submitted to and approved by the Local Planning Authority, including the new front wall. The development shall not be built other than in full accordance with any such approval and no dwelling shall be occupied unless and until the front boundary wall, as approved, has been completed.

Reason: In the interests of visual amenity and the privacy and amenity of neighbouring occupiers in accordance with Saved Worthing Local Plan Policies BE1 and H18 and Saved West Sussex Structure Plan Policies CH1 and DEV1.

15. The development hereby permitted shall not commence unless and until a schedule and samples 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 accordance with Saved Worthing Local Plan Policy BE1 and Saved West Sussex Structure Plan Policy CH1.

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INFORMATIVE

1. This permission is the subject of a Unilateral Undertaking by the developers/owners to pay a sum of £1,960 to Worthing Borough Council towards the required upgrading of local transport facilities. This sum has been received.

2. The Development Control Committee was mindful of objections to the proposal by local residents on a range of environmental grounds and its refusal of a near identical scheme in March 2008 for reasons related to design, neighbour amenity, traffic safety and failure to secure required development contributions to upgrading local transport facilities. However, the view of a Government Inspector on that refused scheme expressed in his judgement on a subsequent appeal were paramount. The Inspector considered the scheme to be acceptable in terms of design, neighbour amenity and traffic safety, subject to modest revisions, and only dismissed the appeal on grounds of failure to secure required development contributions. Given that the principle of residential redevelopment on this site had previously been accepted by the Committee in terms of planning policy and the new application was identical to the previous scheme, save the improvements suggested by the Inspector, the Committee considered that to withhold permission would not be reasonable and that, subject to the receipt of a suitable legal undertaking to secure the required development contributions and suitable planning conditions, planning permission should be granted. Commitments to secure the development contributions have since been received.

3. 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 2003

BE1 - Design Quality
H10 - Loss of Existing Dwellings
H18 - Amenity of Residents
RES7 - Control of Polluting Development
RES12 -Provision of Infrastructure

Saved West Sussex Structure Plan 2001 – 2016

CH1 - Character
DEV1 - High quality development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking provision
ERA1 - Making the best use of land
ERA4 – Flooding and coastal defence
LOC1 - Locational Strategy
NE1 - Level of residential and employment development

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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.