Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0858/FULL

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

Mr M Helyer
Helyer Design Limited
1 The Old Flour Mill
Queen Street
Emsworth
Hampshire
PO10 7BT

PROPOSAL: Application for a new planning permission to replace extant planning permission WB/07/1565/FULL for demolition of existing dwelling and erection of a two storey building comprising 7 flats with 5 car parking spaces, bin and cycle stores.

LOCATION : 31 Shelley Road Worthing

DATE REGISTERED 5th November 2010

APPLICANT : Mr D Rusholme

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.

[redacted]

Dated : 10th February 2011

Executive Head of Planning,
Regeneration and Wellbeing

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

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. 07004/300/G; 07004/301/G; 07004/302.

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

3. No dwelling shall be occupied until the five parking spaces shown on the approved plans have been provided and constructed. The parking and manoeuvring areas so provided shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.

   Reason: To ensure that adequate provision is made for parking vehicles clear of the highway and to comply with saved Local Plan policy TR9.

4. Secure, covered cycle storage 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 flats hereby approved being occupied.

   Reason: To encourage and provide for a non car mode of transport to and from the site in accordance with PPG13.

5. The access from the site to the public highway shall not exceed 3.5 metres in width and shall be laid out and constructed to provide visibility splays on each side of the access within the adjacent public highway in accordance with detailed plans and a precise specification for their construction and materials, to be submitted to and approved in writing by the Local Planning Authority. No other work shall be carried out on the site until the access and visibility splays have been provided in accordance with the agreed details.

   Reason: In the interests of highway safety.

6. No dwelling shall be occupied unless and until the existing vehicle access to the site (other than the access hereby approved) has been stopped up permanently and obliterated and the full-height kerb reinstated within the public highway.

   Reason: In the interests of highway safety.

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7. No development shall take place, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. Thereafter the Construction Method Statement as approved shall be implemented and adhered to throughout the entirety of construction period. The Statement shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in construction of the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel washing facilities;
(vi) measures to control the emission of dust and dirt during construction;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and amenity.

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. on Monday to Friday inclusive, and between the hours of 8.00 a.m. and 1.00 p.m. on Saturday.

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

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments which shall include details of the proposed means of enclosure to provide the garden flats with private amenity area(s). Thereafter the boundary treatments and means of enclosure as approved shall be carried out before the dwellings are occupied.

Reason: In the interests of amenity and to comply with saved Policy BE1 of the Worthing Local Plan and Policy 7 of the Submission Core Strategy.

10. The flint wall fronting Shelley Road shall be retained, repaired and extended as shown on the approved drawing 07004/301/G. The repairs and new infill sections of wall and piers shall be executed in matching flint cobbles (not flint blocks) and shall be detailed to match the existing flintwork in size, shape, colour, texture, bonding and coursing. No dwelling shall be occupied until the new sections and making good of the flint wall fronting Shelley Road have be carried out.

Reason: In the interests of visual amenity and to comply with Policy BE1 of the Worthing Local Plan.

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11. 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) in accordance with BS5837:2005. 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 and to comply with saved Local Plan Policy BE1.

12. 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 roofs 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 and to comply with saved Local Planning Policy BE1.

13. Prior to the commencement of the development hereby permitted, a specification detailing the materials, colours and external finishes and drawing(s) and section(s) at a scale not less than 1:5 showing the detailed design and profile(s) of the front verandah/porch, decorative bargeboards, pargetting on the front gable, brackets supporting the cantilever on the east and decorative porch on the east side of the building, 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 details.

    Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

14. The development hereby permitted shall not be carried out unless and until a specification detailing the materials, colour and external finishes, and a sample and/or drawing(s) and section(s) of the proposed external windows and doors detailing the dimensions/profiles/proportions of the frame(s) and glazing bars, the pattern of opening windows, the position of any trickle vents, the set back of the window from the external wall face; and the window heads and sills have been submitted to and approved in writing by the local planning authority. Thereafter the windows shall only be carried out in accordance with the agreed details.

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Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

15. Provision shall be made for combined aerial facilities to serve all flats within the development hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with saved Local Plan Policy BE1.

16. The ground-floor window on the west elevation of the building hereby permitted shall be obscure glazed and non-opening (except any part above 1.75 metres above the floor of the room in which the window is situated) and 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 property and to comply with saved policy H18 of the Worthing Local Plan.

17. The development hereby permitted shall not commence unless and until details of the proposed surface water drainage and means of disposal (to include drawings and calculations to justify the design in accordance with BRE Digest 365) 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. Before any of the dwellings hereby permitted are occupied refuse storage enclosures shall be provided in accordance with details (to include their size, siting, design, construction materials/finishes) to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development and the amenities of the area and to comply with saved Policy BE1 of the Worthing Local Plan.

19. External lighting of the communal parking areas and access ways shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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20. 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: In the interests of environmental protection and public safety and to comply with 'Planning and Pollution Control: PPS23'.

21. No dwelling shall be occupied unless and until a final Code Certificate from an accredited assessor has been submitted to and approved by the Local Planning Authority to certify that the development hereby permitted has been designed and built to achieve at least Level 3 of the Government's Sustainable Homes Code or any equivalent successor.

Reason: To ensure the development optimizes the potential for sustainable design and construction having regard to 'Planning and Climate Change: Supplement to PPS:1 and policy 17 of the Submission Core Strategy.

INFORMATIVES

Reasons for approval

1. The extant planning permission WB/07/1565/FULL is a material planning consideration of substantial weight. Notwithstanding the changes to the national, regional and local policy framework, it is considered proposal would constitute a sustainable form of development that will help towards achieving housing targets for the Borough and would provide a mix of flat unit sizes including a family-sized unit. The proposal would make an efficient use of the site and would not detract from the character and appearance of the area, making a sensitive transition between urban form and character of flat development in Shelley Road and the more domestic scale of development adjoining in Heene Road. The development can take place without harm to the amenities of nearby residential occupiers and without detraction from highway safety. It would not therefore conflict with saved Policies BE1, H10, H18, TR9 of the Worthing Local Plan, Policies SP3, CC1, CC2, CC4, CC6, H1, H2, H4, H5, T4, NRM11, W2 and BE1 of the South East Plan, Submission Core Strategy Policies 8, 9, 16 and 17, and national planning policy contained within PPS:1, PPS:3 and PPG13.

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2. It will be necessary as a result of this development for works to be carried out within the existing public highway. The developer will be required to enter into an Agreement under Section 278 of the Highways Act 1980 to ensure that this work is carried out prior to the occupation of the development. The developer will also be required to enter into a maintenance licence with the Highway Authority to ensure the future maintenance of the splays within the public highway.

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.