Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0229/FULL

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

Town and Country Planning Solutions
Sandhills Farmhouse
Bodle Street Green
East Sussex BN27 4QU

PROPOSAL: Conversion of dwelling into four flats and construction of six dwellings within the rear garden area. (Resubmission of WB/07/0143/FULL).

LOCATION : 63 Shakespeare Road Worthing

DATE REGISTERED 3rd March 2008

APPLICANT : Mr M Searle

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 635/7 Location Plan; 635/2; 635/3; 635/4; 635/7 Proposed Eaves Detail; 635/6; 635/5 Proposed Layout Plan; 11,155 Existing Layout Plan 5920906 Site Plan (Survey), and 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. No development shall take place until details of all 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.

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Dated : 2nd June 2008

Executive Head of Planning,
Regeneration and Wellbeing

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

3. 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 dwellings hereby approved being occupied.

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

4. The dwellings hereby permitted shall not be occupied unless and until the existing vehicular existing access to the site from Shakespeare Road has been stopped up permanently and the height of the kerb within the public highway re-instated in accordance with a specification to be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Highway Authority.

   Reason: In the interests of highway safety.

5. 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.

6. Construction of the development shall not commence unless and until details of the proposed means of surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with Southern Water. Satisfactory soakage tests in accordance with BRE Digest 365 (1991) being the criteria for proof of this condition.

   Reason: To avoid the risk of flooding.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the dwellings hereby permitted shall not be extended or altered externally 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.

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 (i) details of the proposed 'green walls', (ii) details of the proposed surface materials for all access paths, and (iii) indications of all existing trees on the land, and details of those shown on the approved drawings 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 existing trees subject to Tree Preservation Order No.10 of 2006 and shown on the approved drawing as being retained shall be protected in a manner to be agreed in writing with the Local Planning Authority before the development commences, for the duration of the development. They shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period, shall be replaced in the following planting season with trees of such size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that vegetation which is important to the visual amenity and for the environment of the area is retained.

11. 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 buildings 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.

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12. Prior to the commencement of the development hereby permitted, precise details of the: decorative dentil and projecting band course; windows (to include the style and material of the frames, the method of opening, the arrangement of glazing bars, the set back of the frame from the external wall face, and the window heads and cills); the design and materials of the entrance doors and porches, and the 'conservation type' rooflights, shall be agreed in writing with the Local Planning Authority and such details as may be agreed shall be fully completed prior to the dwellings being occupied.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

13. Before any of the dwellings hereby permitted are occupied refuse/re-cycling storage enclosures shall be provided in accordance with details 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.

14. Provision shall be made for combined aerial facilities to serve all flats/dwellings within the development hereby permitted.

    Reason: In the interests of visual amenity.

15. Prior to the commencement of the development details of external lighting to the communal areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter external lighting to the communal areas shall only be carried out in accordance with the agreed details.

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

16. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development and its construction 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.

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Reason: To maximise the opportunities for sustainable design in accordance with 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; PPG22 Renewable Energy; and PPS10 Planning for Sustainable Waste Management.

17. The development shall not commence unless and until suitable and timely provision has been made to the written satisfaction of the Local Planning Authority for the upgrading of outdoor recreation space to accommodate the demand generated by the proposal and mitigate its harmful effects.

Reason: To ensure the development meets the recreational space needs it generates and minimizes harmful impacts in accordance with Worthing Local Plan policy LR8 and Structure Plan policy DEV3.

18. The development shall not commence unless and until suitable and timely provision has been made to the written satisfaction of the Local Planning Authority for the upgrading of the local transport facilities to accommodate the travel demand generated by the proposal and mitigate its harmful effects.

Reason: To ensure the development meets the travel needs it generates and minimizes harmful impacts in accordance with West Sussex Structure Plan policies NE13, NE14, DEV3 and DEV4.

19. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that there is adequate capacity in the public sewerage system to service the proposed development and to avoid the risk of flooding.

20. The development hereby permitted shall not be commenced until the following measures have been undertaken:-

(i) the submission of a scheme for the investigation of potential ground contamination within 5.5 metres of the former warehouse (rear of 117 Tarring Road);

(ii) the approval of the scheme referred to in (i) above by the Local Planning Authority;

(iii) the completion of a site investigation in accordance with any scheme as may be agreed;

(iv) the submission to and written approval by the Local Planning Authority of the results of any such investigation;

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(v) the submission to and written approval by the Local Planning Authority of a detailed action plan for remediation of the site;

(vi) the full implementation of the agreed action plan on the site to the satisfaction of the Local Planning Authority.

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

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the south, northernmost or easternmost elevations of the dwellings without the prior permission of the Local Planning Authority in an application on that behalf.

Reason: To protect the amenities and privacy of the occupiers of adjoining properties.

INFORMATIVES

1. The proposed development is within the built-up area and would help meet the need for additional housing. Due consideration has been given to all material considerations including the representations received from third parties. However, it is considered that proposed development can take place without harm to the character or appearance of the Shakespeare Road Conservation Area, including the trees subject to TPO No.10 of 2006. It would not result in unacceptable detriment to the amenities of neighbouring properties. Having regard to the sustainable location of the site, the size of accommodation proposed and current Government guidance contained within PPG13 'Transport', it is considered the proposed development can take place without harm to highway safety. It would consequently not conflict with the relevant saved policies of the Worthing Plan (BE1, H13, H18, TR9, LR8, RES9) and the adopted West Sussex Structure Plan 2001-16 (LOC1, NE1, CH1, CH4, ERA1, ERA2, DEV1, DEV3, DEV4, DEV5).

2. The Waste Strategy Manager's advice for dealing with residential flats is that wherever possible, buildings comprising 4 household units or less should have individual wheeled bin collections. Communal facilities may need to be provided where there are 4 or more units. Further information should be obtained from Paul Willis, Waste Strategy Manager, Adur and Worthing Services, Commerce Way, Lancing, BN15 8TA (Tel:- 01273 263052) prior to the discharge of condition 13 above.

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3. (i) West Sussex County Council is the Local Transport Authority responsible for the Local Transport Plan which sets out the transport strategy for the county including Worthing and related implementation programmes. This includes provision to accommodate the cumulative harmful effects of new development on the transport network and transport conditions. In part, the programme relies on and anticipates external funding and developers undertaking appropriate works in kind to secure this. In accordance with adopted Worthing Borough Council Supplementary Planning Guidance Parking Standards & Transport Contributions and West Sussex County Council Supplementary Planning Guidance Revised County Parking Standards and Transport Contribution Methodology a financial sum of £4,600 would represent a suitable and proportionate contribution from this proposal to the development and implementation of such a programme for the local area in view of the development's harmful impacts on the local transport network and local transport conditions.

(ii) Local Plan policy LR8 requires provision to be made for outdoor recreation space for residential developments of 10 units or more. In the case of the proposed development it is not practicable for the outdoor recreation space requirement to be provided on site, a financial contribution is therefore required so that the respective outdoor recreation space requirement can be provided elsewhere in Heene ward, or an adjoining ward. Based on the number and size of units proposed, the appropriate financial contribution towards the provision of off-site outdoor recreation facilities is £8,735.

(iii) These financial contributions totalling £13,335 should be secured by a planning obligation in the form of a unilateral undertaking. All communication in respect of the above with a view to discharge of conditions 17 and 18 shall be through the Local Planning Authority.

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.