Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0374/FULL

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

Ms Julie Cattell
CJ Planning Limited
80 Rugby Road
Brighton
East Sussex
BN1 6ED

PROPOSAL: Demolition of existing care home and health care facility. Redevelopment of the site to provide new medical and care facility (including long stay and short stay residential care) with associated parking and landscaping - re-submission of withdrawn application ref. WB/09/0645/FULL.

LOCATION : 44-46 Shelley Road Worthing

DATE REGISTERED 21st May 2010

APPLICANT : Sussex Clinic

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. SMC.01-Rev.a, 02, 03, 04-Rev. a, 05-Rev.a, 06-Rev. a, 07-Rev. a, 08-Rev. a, 09-Rev. a, 10-Rev. a, 11-Rev. a, 12-Rev. b, 13-Rev. b, 14-Rev. b, 15-Rev. c, 16-Rev. c, 17-Rev. d, 18-Rev. d, 19-Rev. c, 19a-Rev. c, 20-Rev. d, 21-Rev. c, 22-Rev. d, 23-Rev. c, 24-Rev. c, 25-Rev. c, 26-Rev. a, 27-Rev. b and 35, 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.

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Dated : 7th September 2010

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:-

SMC.01-Rev.a, 02, 03, 04-Rev. a, 05-Rev.a, 06-Rev. a, 07-Rev. a, 08-Rev. a, 09-Rev. a, 10-Rev. a, 11-Rev. a, 12-Rev. b, 13-Rev. b, 14-Rev. b, 15-Rev. c, 16-Rev. c, 17-Rev. d, 18-Rev. d, 19-Rev. c, 19a-Rev. c, 20-Rev. d, 21-Rev. c, 22-Rev. d, 23-Rev. c, 24-Rev. c, 25-Rev. c, 26-Rev. a, 27-Rev. b and 35,.

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

3. The development hereby permitted shall not commence until details of the materials (and permeable substrate) to be used for surfacing the car parking facilities have been submitted to and agreed in writing by the Local Planning Authority. The car parking and associated areas shall then be surfaced only in accordance with such details as may be agreed.

Reason: In the interests of visual amenity and to ensure the delivery of sustainable development.

4. The building hereby permitted 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, manoeuvring and parking of vehicles incidental to the use of the premises concerned.

Reason: To ensure that adequate provision is made for the parking and turning of vehicles clear of adjacent highways and to comply with saved Policy TR9 of the Worthing Local Plan.

5. Secure cycle parking 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 building hereby approved being occupied and shall thereafter be retained.

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

6. The accesses to the site from the public highway shall be laid out and constructed with pedestrian visibility splays in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any operation or use authorised by this permission is commenced. Thereafter such visibility splays shall be kept clear of any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of highway safety and to comply with saved Policy TR9 of the Worthing Local Plan.

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7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Statement shall be implemented and adhered to throughout the entirety of the 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 demolition and construction.

Reason: In the interests of highway safety and to safeguard the amenities of neighbouring residential occupiers.

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 am and 6.00 pm inclusive.

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

9. No development shall take place unless and until details (to include noise emissions and attenuation measures) of the plant contained within the roof of the building, and of all air handling/conditioning, ventilation and extraction equipment, and of any other equipment to be installed on the building which requires external machinery/fans, have been submitted to and approved in writing by the local planning authority. The equipment so approved shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: To safeguard the amenities of the occupiers of nearby properties having regard to saved Policies RES7 and H18 of the Worthing Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no (further) plant or machinery shall be installed, erected or replaced on the application site without the written approval of the local planning authority.

Reason: In the interests of amenity and the environment and to comply with saved Policies BE1, RES7 and H18 of the Worthing Local Plan.

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11. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-

i) Proposed finished floor levels and contours;
ii) Means of enclosure, including full details of the proposed boundary walls, railings and gates to be erected;
iii) Pedestrian access and circulation areas;
iv) Hard surfacing materials;
v) Minor artefacts and structures (sunken garden, ponds, lamp posts, seating etc.).

Soft landscape works shall include planting plans; written specifications; schedules of plants noting species, plant sizes and proposed numbers/densities; and an implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the Local Planning Authority.

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

12. No development, including site works of any description, shall take place on the site unless and until all the existing trees shown on the approved drawing to be retained on the site have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the Local Planning Authority and shall include any proposal for pruning or other preventative works. Within the areas so protected the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

Reason: To protect the trees from damage and to comply with saved Policy BE1of the Worthing Local Plan.

13. No development shall be carried out unless and until a schedule and samples of materials and finishes to be used for all the external walls and roofs of the proposed buildings (including lift over-runs, supporting columns, roof enclosure etc.) have been submitted to and approved in writing by the Local Planning Authority.

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

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14. The roof areas shall be accessed for maintenance purposes only.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with saved Policy H18 of the Worthing Local Plan.

15. No development shall commence unless and until a detailed specification, drawings and sections at a scale not less than 1:5 of the architectural details of the building have been submitted to and approved in writing by the Local Planning Authority. These architectural details shall include:-

(a) the curved bay windows,
(b) parapet walls and eaves,
(c) lift over-runs,
(d) supporting columns,
(e) perforated screen enclosure to roof cavity,
(f) Reglit glazed (channel glass) elliptical curved projection,
(g) cantilevered projecting gables (including soffits),
(h) wall sections of Reglit (channel glazing),
(i) walls section showing junction of slate laid end-to-end and (Sto) render.

The development shall not be built other than in full accordance with the architectural details as approved.

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

16. The development hereby permitted shall not be carried out unless and until a specification detailing the materials, colour(s) and external finishes, and a sample or drawing(s) and section(s) of the external window(s) and doors at a scale of not less than 1:5 detailing the dimensions/profiles/proportions of the frame(s) and glazing bars, the pattern of opening windows/doors, the position of any trickle vents, the set back of the window from the external wall face; and the window/door heads and sills have been submitted to and approved in writing by the local planning authority. Thereafter the windows/doors 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.

17. Provision shall be made for combined TV aerial facilities to serve the development in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

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

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18. Notwithstanding the siting shown on the approved plan, details of facilities for storing refuse and waste, including clinical waste and waste that can be recycled, shall be submitted to and approved in writing by the Local Planning Authority. The facilities as agreed shall be provided prior to first occupation of the building.

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

19. Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall not be occupied unless and until a BREEAM Design State Certificate and a Building Research Establishment-issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 70% in energy and water sections of the relevant (or a bespoke) BREEAM assessment within overall 'Excellent' has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to Planning and Climate Change: Supplement to PPS1'.

20. A proportion of not less than 10% of the operational energy demand of the development hereby permitted shall be met or secured by decentralised and renewable and/or low carbon energy sources (e.g. biomass, ground source heating and cooling, solar thermal and photovoltaic generation, wind generation, waste heat that would otherwise be generated directly or indirectly from fossil fuel), as compared to the operational energy demand of the development without such measures, and in compliance with the prevailing Building Regulations standards. The development shall not be built or constructed other than in full accordance with details of such measures as have been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter and maintained in accordance with the manufacturers instructions.

Reason: To ensure that the development is sustainable and to optimize the potential for energy efficiency, low carbon and renewable energy having regard to 'Planning and Climate Change: Supplement to PPS1'.

21. 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 saved Policy RES7 of the Worthing Local Plan.

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22. The development hereby permitted shall not be commenced unless and until details of the proposed surface water drainage and means of disposal have been submitted to and approved 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 approved by the Local Planning Authority.

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

23. 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'.

24. No development shall commence until the submitted draft Travel Plan has been approved to the satisfaction of the Highway Authority, and in writing by the Local Planning Authority. The approved Travel Plan shall be carried out and implemented in accordance with the requirements of the Highway Authority's Business Travelwise Officer.

Reason: To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with PPS1 and PPG13.

25. No development, including site works of any description, shall take place on the site unless and until a method statement detailing the proposed site excavation works, including the extent and method of excavation, any temporary or permanent retaining structures, and the removal and disposal of spoil/waste from the site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the site excavation works shall only be carried out in accordance with the agreed method statement.

Reason: In the interests of amenity and the environment.

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26. Notwithstanding the details shown on the approved plan, vehicle access to the area to the north of the ambulance 'drop off' bay shall be restricted to emergency vehicles and vehicles required for the essential maintenance of the building and maintenance or replacement of any associated plant/equipment within the building only, with access to the area controlled by drop-down bollards, or similar, details of which shall be submitted to and approved in writing prior to first occupation of the building.

    To safeguard the amenities of the occupiers of nearby properties having regard to saved Policies RES7 and H18 of the Worthing Local Plan.

INFORMATIVES

Reason for approval

In granting planning permission the Council's Planning Committee considered the proposed building would provide a modern state-of-the-art health and residential care facility on this site which has had a long history of similar use and occupies a highly sustainable location close to the edge of the town centre. The original Victorian character of this part of Shelley Road has been dissipated over time and there is no longer a strongly distinctive character that necessitates emulation. The saved Local Plan Policy BE1 does not preclude contemporary design approaches in such situations, and imaginative and inspiring designs are encouraged in national planning policy. The proposed building would be a bold addition to the streetscene by virtue of its use of shape and distinctive materials, but would not appear unduly dominant or out-of-scale in the context of the remaining Victorian villas and their replacements which make up the streetscene. Subject to safeguards attached as conditions of planning permission it was considered the proposed development would not result in significant harm to the amenities of neighbouring occupiers. Although a number of mature trees would need to be removed to accommodate the development, scope exists for replacement planting within the garden area(s) for the benefit of future residents, and on the site frontage. Having regard to the accessible location of the site, and taking into consideration the supporting Transport Assessment and Travel Plan framework, it is not considered there would be any adverse highway implications arising from this larger replacement building. Thus the proposed development would not conflict with saved Local Plan Policies RES7, BE1, TR9 and H18.

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.