Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1495/FULL

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

Mr Richard J Maile
72 Portland Road
Worthing
West Sussex
BN11 1QS

PROPOSAL: Proposed replacement hospice

LOCATION : Land south of Northbrook Farm Titnore Lane Worthing

DATE REGISTERED 6th December 2007

APPLICANT : St Barnabas Hospice (Worthing) Projects Limited

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 12743-GE-5278-001 Rev. D, 12743-GE-5278-002 Rev. D, 112/TLW/1a, BQU 006 Rev. 08, BQU 004 Rev. 07, BQU 005 Rev. 07, BQU 002 Rev. 01, BQU 022, BQU 023, BQU 018 Rev. 02, BQU 017 Rev. 02, BQU 015 Rev. 2, BQU 016 Rev. 2, BQU 014 Rev. 01, BQU 019, BQU 007 Rev. 05, 5331.03 and BQU 021 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.

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Dated : 14th July 2008

Executive Head of Planning,
Regeneration and Wellbeing

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

2. The development hereby permitted shall not be occupied until the parking provision shown on the approved plans has been provided, surfaced and marked out in accordance with a detailed construction plan to be submitted to and approved in writing by the Local Planning Authority. The parking and manoeuvring areas 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 provide the maximum level of car parking for the development in accordance with the adopted car parking standards.

3. No building hereby approved shall be occupied until secure, covered cycle parking spaces have been provided, precise details of which, including their number and siting, shall be submitted to and agreed in writing with the Local Planning Authority.

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

4. No development shall commence until the site access serving the development hereby permitted has been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

   Reason: To ensure satisfactory standards of access for the development.

5. No building shall be occupied until space has been provided, surfaced and marked out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for the turning of vehicles clear of the public highway. Such space as may be agreed shall not thereafter be used for any purpose other than as a turning area.

   Reason: To provide an adequate turning area in accordance with current standards in the interests of highway safety.

6. 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. Thereafter, the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

   Reason: In the interests of highway safety.

7. Development shall not commence unless and until an appropriate wheel washing facility located adjacent to the construction site entrance has been provided in accordance with details to be submitted to and approved by the Local Planning Authority.

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Reason: To ensure the public highway is kept free from debris and mud being deposited from the site.

8. The access onto the private road to the north of the site, shown on the approved plan, shall comprise a secure, gated access to the development for use only by service vehicles, including hearses. No development shall commence until details of the layout of the access, including the siting and design of the gate, and means of controlling access to the development, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the access shall be provided in accordance with the agreed details.

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

9. 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.

10. 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.

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 the nearby residential properties.

12. Prior to the commencement of development a scheme for external lighting of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the external lighting shall be carried out in accordance with the agreed scheme.

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

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13. 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, to specifically include the planting of native trees and shrubs, provision of wildlife pond(s), wildflower seed mixes and beds planted with plants to specifically encourage insects. The scheme shall include proposed finished levels or contours, indications of all existing trees and hedgerows on the land, and details of those 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, to mitigate the loss of vegetation and to enhance the biodiversity of the site.

14. The development hereby permitted shall not be occupied until native hedgerow trees and/or hedging shrubs of an appropriate species and a density to be approved in writing by the Local Planning Authority have been planted i) to supplement the existing hedgerow fronting the site onto Titnore Lane, and ii) to replace, where possible, in the land available, the existing hedgerow fronting the Northbrook College site (where removal is necessary to accommodate the site access). In the event that any such trees or shrubs die or become seriously damaged or diseased within a period of 5 years following planting, they 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.

Reason: To mitigate the loss of vegetation which is important to the visual amenity and the environment of the area.

15. No development, including site works of any description, shall take place on the site unless and until all the existing trees, bushes and hedges to be retained on the site have been protected by a fence in accordance with details which shall be approved in writing by the Local Planning Authority. The fence as agreed shall be erected around each tree (or group of vegetation) at a radius from the bole or boles of 5 metres (or such distance as may be agreed in writing by the Local Planning Authority). Within the areas so fenced off, 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 within such areas. If any trenches for services are required in the fenced off areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 millimetres or more shall be left unsevered.

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Reason: To ensure that vegetation which is important to the visual amenity and ecology of the area is retained, having regard to 'Trees in Relation to Construction' BS5837 : 2005.

16. The clearance of vegetation from the site shall be phased. In the first phase standing vegetation shall only be removed using hand operated power tools or a low ground pressure flail, and vegetation cut back to 150mm above ground level. The second phase shall remove all vegetation to ground level. Any potential refugia such as log piles or other debris shall be dismantled by hand. All works of site clearance shall be carried out under an ecological watching brief and led by an Ecological Clerk of Works. Any great crested newts Triturus cristatus or other native species of herpetofauna (adder Viper berus, grass snake Natrix natrix, common lizard Lacerta Vivpara, slow-worm Anguis fragilis) disturbed within the site or the adjacent hedgerow shall be caught and released to off-site habitat.

Reason: To ensure adequate safeguards are in place to remove and re-locate any statutorily protected species found on the site, and to have regard to the Wildlife and Countryside Act 1981.

17. 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 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.

18. The development hereby permitted shall not commence unless and until details of the proposed sustainable surface water drainage system 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.

19. Waste management facilities to serve the development shall be provided close to the point of generation and planned as an integral part of the development, 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.

20. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

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Reason: The site is of archaeological significance and so that archaeological features will be investigated before the start of building works.

21. 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 treatment to be erected. The boundary treatment shall be completed before the building hereby permitted is occupied. Development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity.

22. Prior to the commencement of development, detailed drawings (at a scale not less than 1:20) of the windows and glazed curtain walling, showing the materials, thickness of frames/sections, design, method of opening, 'brise soliel' and external colours/finishes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

23. 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 integral to the building, as appropriate. The development shall not be built or constructed other than in full accordance with any such approval.

Reason: To maximise the opportunities for sustainable design in accordance with West Sussex 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.

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24. A Travel Plan shall be submitted to the Local Planning Authority for approval within 6 months of the first occupation of the development and thereafter any agreed Travel Plan shall be implemented in full upon written approval by the Local Planning Authority by the occupier (and any successive occupiers). Such an agreed Travel Plan shall include the appointment of a Travel Plan Co-ordinator to monitor and review progress towards achieving targets, and shall make provision for future changes to the Travel Plan in the light of the provision of a future footway/cyclepath linking the site to Littlehampton Road.

Reason: To minimise the need for car travel and its harmful impacts in view of the sites limited accessibility and likely traffic generation in accordance with saved Policy DEV4 of the West Sussex Structure Plan 2001-2016 and allied Government guidance.

25. No building shall be occupied unless and until a footway/cycle way as indicated on the approved plan extending along the site frontage onto Titnore Lane and behind (east of) the boundary hedgerow has been provided in accordance with precise details of its siting, design, construction and surface materials to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

26. Prior to the commencement of site clearance, the recommendations relating to Badgers contained in paragraph 4.1 of the submitted (draft) Ecology Report by Ecology Consultancy for Gifford (dated June 2008) shall be implemented. In the event that these recommendations cannot be implemented, alternative appropriate mitigation shall be carried out in accordance with measures to be agreed in writing by the Local Planning Authority.

Reason: To safeguard the ecology of the area.

27. Notwithstanding the details shown on the approved plan, prior to the commencement of development, an amended siting for the plant (compressors, generators) shown adjacent to the north site boundary shall be agreed in writing with the Local Planning Authority, in conjunction with the submission of details of noise emissions (from the generators, compressors) their proposed means of enclosure/housing, mounting and measures for any noise attenuation. Thereafter the development shall only be carried out in accordance with the agreed siting, details and attenuation measures.

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

28. The clearance of hedgerow trees/shrubs necessary to accommodate the site access shall be undertaken outside the bird nesting season.

Reason: To have regard to the Wildlife and Countryside Act 1981.

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INFORMATIVES

1. The site is within the built-up area and having regard to the nature of the proposed hospice use, it is considered the provision of a tranquil, attractive and verdant setting for the development, outweighs the relative un-sustainability of the proposal whereby access other than by private car will be severely limited until such time as an off-site footpath/cycle way can be secured, by means of a financial contribution, linking the site with more sustainable modes of transport. Subject to measures to mitigate the loss of hedgerow and enhance the bio-diversity of the site, it is considered that the proposed development can take place without unacceptable harm to the semi-rural landscape and ecology of the area. The archaeological heritage of the site can be safeguarded through excavation and recording. Subject to the imposition of suitable conditions the development can take place without detriment to the amenities of neighbouring residential occupiers, without an increased risk of flooding and without detraction from highway safety.

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 Policies 2003

BE1 - Design Quality
RES12 - Provision of Infrastructure
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
CH7 - Archaeology
DEV1 - High Quality Development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA2 - Nature Conservation
LOC1 - Locational strategy
NE11 - Community facilities and services
NE13 - Transport
NE14 - Walking, cycling and mobility

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.

2. The applicant is advised that any works within 30 metres of a Badger sett will require a licence from Natural England in order to comply with the Protection of Badgers Act 1992.

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3. The applicant is advised that should protected species be present, work must stop and Natural England be informed. A Licence may be required from Natural England before works can re-commence.

4. Prior to the commencement of works within the public highway, associated with the site access and right turn lane, the applicant shall obtain the appropriate Agreement from West Sussex County Council, as Highway Authority. This Agreement will be dealt with under the provisions of a Section 278 Agreement of the Highways Act, 1980, details of which can be obtained by contacting the Development Control Section, Highways and Transport Unit of the County Council at Chichester (Tel. 01243 777155). The agreement must be completed and the works implemented prior to the commencement of development.

5. In support of the application to undertake works within the public highway, a Stage II Safety Audit must be completed and provided for consideration, sympathetic to the findings and recommendation of the earlier Stage I Safety Audit, indicating any further observations of a detailed nature in respect of the scheme and its affects on the public highway together with confirmation of how these matters will be addressed through the accompaniment of an Exception Report. Upon receipt of the Safety Audit the County Council will undertake a review of the audit findings. The works within the public highway will not be permitted until such time as the matters raised within the Safety Audit have been agreed and approved with the Highway Authority and reflected on subsequent detailed plans.

6. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd. Anglo St. James House, 39A Southgate Street, WINCHESTER, SO23 9EH, (Tel: 01962 858688) or www.southernwater.co.uk.

7. Under current legislation and guidance, sustainable urban drainage systems (SUDS) rely upon facilities which are not adoptable by sewerage undertakers. Therefore the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is essential that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus in connection with Condition 18 above, the drainage details submitted to the Local Planning Authority should specify the responsibilities of each party for the implementation of the SUDS system, specify a timetable for implementation, and provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.