Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/1055/FULL

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

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

PROPOSAL: Erection of 4 No. x 4 bedroom detached houses and an apartment building containing 10 No. x 2 bedroom flats, together with access, garaging, parking and amenity open space.

LOCATION : Hurst Grange 17 - 19 Parkfield Road Worthing

DATE REGISTERED 16th December 2009

APPLICANT : Roffey Homes Limited

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the following plans which accompanied the application, or as subsequently amended prior to consideration;- 528/100; 528/101-e , 528/102; 528/103-b; 528/104-b; 528/105; 528/106; 528/200-b; 528/201-a; 528/202a; 528/203-a; 528/204-b; 528/205-b; 528/206-a; 528/207; 528/208; 528/300-a; 528/301; 528/400-a; 528/401-a; 528/500-a; 528/501-a; 528/600-a; 528/601-a; LLD176/01-Rev. 02; LLD176/03-Rev 03; LLD176/04- Rev 03; 71105-08-Rev a; 71105-09-Reva; 71105-10-Rev a; 71105-TK17; 71105-TK18 and supporting documentation - Planning and Design and Access Statement, Arboricultural Impact Assessment, Landscape Strategy, Outline Plant specification and Tree Schedule, Site Waste Management Plan and Transport Assessment (including Stage 1 Safety Audit and Designer's Response) 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 : 18th March 2010

Executive Head of Planning, Regeneration and Wellbeing

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

2. The upper section of the first and second floor windows to the bedrooms on the west elevation of the block of flats 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.

3. The development shall not commence unless and until architectural details have been submitted to and approved by the Local Planning Authority. These shall include details of:-

   a) Porches
   b) external windows (all trickle vents shall be concealed) and doors
   c) dormers and rooflights
   d) eaves
   e) roof hips and ridges (the hips on all the new houses and garages as shown on the approved plans shall use bonnet tiles) and sprocketed rafters
   f) chimneys
   g) finials, bargeboards and rafters
   h) window arches
   i) garages
   j) rainwater goods, external metre boxes, flues and cables associated with utilities.
   k) bays and oriel windows
   l) cupolas
   j) Walls to entrance adjacent to units 12 and 13

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

   Reason: In the interest of visual amenity to accord with Saved Worthing Local Plan policy BE1 and Planning Policy Statement 1: Delivering Sustainable Development .

4. 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 in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement1: Delivering Sustainable Development.

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5. Provision shall be made for combined aerial facilities to serve all flats within the development hereby permitted and no flat shall be occupied unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with any such approval.

   Reason: In the interests of visual amenity to accord with Saved Worthing Local Plan policy BE1.

6. Notwithstanding the submitted drawings, no dwelling shall be occupied unless and until details and the siting of refuse, recycling and domestic composting facilities for the dwellings has been submitted to and approved by the Local Planning Authority and the development shall not be built other than in accordance with any such approval.

   Reason: The proposed location of the refuse store facility is unacceptable due to its proximity to the adjacent dwellings and potential to give rise to noise, smell disturbance. An alternative location is necessary. Adequate facilities are necessary in the interests of hygiene and visual amenity and to minimize land fill.

7. 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 detected and properly remediated in the interests of amenity and the environment in accordance with Saved Worthing Local Plan policies H18 and RES7.

8. No dwelling shall be occupied until the parking spaces and garages shown on the approved plans have been provided and constructed, subject to compliance with condition 6. The parking facilities and garages so provided shall not thereafter be used for any purpose other than the parking and garaging of vehicles.

   Reason: To ensure that adequate provision is made for parking vehicles clear of the highway.

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9. Notwithstanding the submitted plans, no flat shall be occupied unless and until details and the siting of the cycle store for the flats has been submitted to and approve by the Local Planning Authority and the development shall not be built other than in accordance with any such approval.

   Reason: The proposed location of the cycle stone is unsatisfactory due to its proximity to the adjacent flats and its size. An alternative arrangement is required. Cycle facilities are required to encourage use of this healthy and sustainable mode as an alternative to the motor car and to meet travel demand in accordance with PPG13: Transport.

10. No dwelling hereby approved shall be occupied unless and until the access from the site to the public highway and allied visibility splays and sight lines has been provided in accordance with the approved plans or any such variant as agreed in writing in advance with the Local Planning Authority. The approved arrangements shall be maintained thereafter.

    Reason: In the interests of highway safety. See also informative 4 below.

11. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall not be built other than in accordance with any such approval.

    Reason: There is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development and surface water from this site currently discharges to the foul sewer. The site also falls within Flood Zone 1 and it is important to ensure the site is sustainably drained (SUDS). This is required in accordance with South East Plan policy NRM4 and PPS25 : Development and Flood Risk.

12. 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.

13. 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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14. No development shall take place unless and until a scheme for the suppression of dust during demolition and construction and wheel washing of construction vehicles has been submitted to and agreed in writing by the Local Planning Authority, in accordance with BRE: Control of dust from construction and demolition activities: BRE465, as appropriate. 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 Policies H18 and RES7.

15. 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.

16. The development hereby approved shall not be built other than in accordance with the submitted landscaping plans, subject to the following:-

    a) Approval by the Local Planning Authority in advance of the following details:

    i) Measures for the protection of the existing trees to be retained during the course of the construction of the development and thereafter, including a method statement.
    ii) Samples of all hard landscaping materials.
    iii) Details of any necessary pruning to lift the tree crowns over the proposed accesses.

    The development shall not be implemented other than in accordance with the approved details.

    b) All planting, seeding or turfing comprised in the approved scheme above 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.

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c) Replacement of the Acer rubrum specified as a feature tree in front of the block of flats with an alternative species such as Betula jacquemontii, Fraxinus ornus Obelisk or Acer platanoides Columnare.

Reason: In the interests of visual amenity and biodiversity and of the environment of the development. See Informative 5 below -Arboricultural Officers comments.

17. No dwelling hereby approved shall be occupied unless and until the existing vehicular access from the site to the public highway has been stopped up in accordance with a scheme approved in advance by the Local Planning Authority.

Reason: In the interests of highway safety. See also informative 4 below.

18. The development shall not be occupied unless and until the boundary treatments have been provided in accordance with the approved plans and in compliance with condition 10, excepting the western boundary of unit 14. details of which shall be approved in advance by the Local Planning Authority, notwithstanding the submitted drawings.

Reason: To ensure the development is adequately screened and achieves a good standard of appearance and to ensure the new development enjoys an acceptable relationship with the flats at Nos. 1 and 2 Parkfield Court.

19. The development shall not be occupied unless and until:
    a) a suitable certificate from an accredited assessor has been received by the Local Planning Authority to demonstrate the development has been designed and built to achieve at least Level 3 of the Government's Sustainable Homes Code or the equivalent of any successor and;
    b) allied to this, a scheme has been submitted to, and approved by the Local Planning Authority, to demonstrate that at least 10% of the residual energy demands generated by the development will be met by on-site micro-renewable energy regeneration. The approved scheme shall be maintained thereafter in accordance with the manufacturer's instructions.

Reason: To ensure the development optimises the potential for sustainable design and to optimise opportunities for renewable energy generation in accordance with PPS1 : Delivering Sustainable Development – Climate Change Supplement and South East Policy NRM11.

20. Any required highway works resulting from the subsequent Stage 2 and 3 Road Safety Audits shall be implemented at the earliest opportunity and in no case later than 3 months after the appropriate authority has been consented by the Highway Authority.

Reason: In the interests of highway safety. See also informative 4 below.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the houses shall not be extended or altered in any way (excepting alterations to the proposed conservatories) nor outbuildings erected (excepting the proposed garden sheds) unless permission is granted by the Local Planning Authority in an application on that behalf.

Reason: In the interests of visual and neighbour amenity in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7.

22. No development shall take place on the southern portion of the proposed development site (occupied by units 1-10 and surrounds and to the south of the former footprint of Hurst Grange) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for:-

a) trial trenching in this area; and
b) a contingency plan to sample the footprints of units 13 and 14, if appropriate, based on the results of the sample trenching in the southern area;

in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing in advance by the local planning authority.

Reason: The site has the potential for archeologically important finds and it is important to safeguard these in accordance with PPG16: Archaeology and Planning. See informative 6.

23. 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 flank upper floor east or west elevations of the proposed dwellings numbered units11 and 14 and west elevation of unit 13 and east elevation of unit 12 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 in accordance with Saved Worthing Local Plan policy H18.

24. No dwelling shall be occupied unless and until a detailed scheme to implement the security measures recommended by Sussex Police Crime Prevention Design Advisor has been agreed in advance by the Local Planning Authority in respect of:

a) more robust fencing to the houses 11-14 and their rear gates are lockable
b) defensible space is provided to the block of flats by provision of suitable fencing and gates;
c) planting is provided adjacent to the block's windows and doors;

d) Additional low level lighting is provided generally and to the cycle storage block.
e) Doors, gates, stores and windows are designed to meet appropriate standards**.**

Reason : To discourage crime and disorder.

INFORMATIVES

1. Reasons for Approval

a) 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 South East Plan 2009 set out below,

Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H18 - Amenity of Residents
RES7 - Control of Polluting Development
RES12 - Provision of Infrastructure

South East Plan 2009

BE1 - Management for an Urban Renaissance
BE6 - Management of the Historic Environment
CC1 - Sustainable Development
CC2 - Climate Change
CC3 - Resource Use
CC4 - Sustainable Design and Construction
H1 - Regional Housing Provision 2006-2026
H3 - Affordable Housing
H4 - Type and Size of New Housing
H5 - Housing Design and Density
NRM1 - Sustainable Water Resources and Groundwater Quality
NRM4 - Sustainable Flood Risk Management
NRM11 - Development Design for Energy Efficiency and Renewable Energy
SCT1 - Core Strategy
SCT5 - Housing Distribution
SP3 - Urban Focus and Urban Renaissance
T2 - Mobility Management
T4 - Parking

and to all relevant material considerations, including National Policy and Guidance and Supplementary Planning Guidance and all representations and consultation responses received :

b) In reaching its decision the Council concluded that this brownfield, sustainably located site has a history of residential use and the current proposal will return it to positive use, making efficient use of the site and contributing to the regional housing targets and towards meeting the demand for family housing. Overall, the scheme is sensitively configured to avoid harm to neighbour amenity and will provide a good standard of environment for future occupiers. The design is of a high standard and will harmonise well with the streetscene and enjoys a genuine sense of place. Access and parking are satisfactory, subject to certain safeguards, and the scheme is generally environment-friendly, again subject to certain safeguards. The applicant has agreed to required development contributions to mitigate the scheme's impact. As such, and subject to conditions imposed above and unilateral undertaking supplied the proposal is acceptable.

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. Southern Water advise the following:-

Condition 11

Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. It is believed that surface water from this site currently discharges to the foul sewer. To give capacity for this development the surface water currently flowing to the foul sewer should be removed to give no net increase in flow to the foul sewer. Southern Water requires a formal application for a connection to the public sewer. The applicant is advised to contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: "A formal application for connection to the water supply is required in order to service this development".

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3. The Environment Agency advises as follows:-

Condition 11

Flood Risk
This proposal lies in Flood Zone 1 and falls within the scope of our Flood Risk Standing Advice. Please refer to our Standing Advice.

Pollution Prevention
When carrying out construction and demolition activities, potential sources of pollution from site activities will need to be identified so that appropriate pollution prevention measures are taken to avoid any contamination of controlled waters. Controlled waters include lakes, rivers, coastal waters and groundwater.

It is necessary to prevent pollution of surface and/or groundwaters especially during site works. There should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters whether direct or via soakaways during and after the proposed works.

The risk of pollution at construction and demolition sites can be significantly reduced by providing secondary containment measures for storage tanks. Oil tanks must comply with the requirements of the Control of Pollution (England) (Oil Storage) Regulations 2001.

Any visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Local Planning Authority must be informed immediately of the nature and degree of contamination present.

Further detailed advice can be found at the Environment Agency's pollution prevention website or by calling our National Customer Contact Centre (NCCC) at 08708 506 506.

4. The Highway Authority advises as following:-

General

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader, West Sussex County Council, County Hall, Chichester, West Sussex, PO19 1RQ. (Tel no. 01243 642105).

The applicant is advised that a Stage 2 Safety Audit will be required as part of any detailed design submitted to the Highway Authority.

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Condition 4

Works are required within the public highway to close the existing access and open the three new access points. As a further Stage 2 Safety Audit is required, it is suggested that the nature of these works are discussed with Local Development division to agree the nature by which they are to be implemented, although it is suggested in the first instance that these form part of a s278 Agreement. Consideration does also need to be given the specification of the works due to the presence of the accesses within the root protection areas.

Condition 10

Visibility from the central access is …obstructed from a 2.4metre X distance allowing only a 33metre splay to the east. The Safety Audit has identified the matter of the full 37metres being achieved from a 2.4metre X distance. The Designers Response to this proposes a reduction in the X distance to 2.3metres that would allow the full 37metres to be achieved in both directions. Again it is acknowledged that the presence of the tree to the east does not obstruct visibility significantly and would not obscure an entire pedestrian or vehicle. The Safety Auditor has subsequently reviewed the Designers Response and suggested that the splay is checked once constructed as the presence of the hoardings surrounding the site making it unclear what splays could be achieved. A condition is therefore suggested requiring the splays on the approved drawings to be provided prior to construction commencing and allowing further review as part of a Stage 2 Safety Audit. In the event that these splays are not achievable, the Developer would be required to further highway works to build out the kerbline to achieve the necessary visibility. It would be stressed though that there is no evidence to indicate any inaccuracies with the drawings or that the aforementioned splays could not be achieved. The additional highway works if required would also be very minor in nature and have very limited consequences.

Condition 20

The Safety Auditor has also raised the matter of the parked cars potentially obstructing visibility. It is suggested that this matter is reviewed as part of subsequent Stage 2 and 3 Safety Audits, requiring the Developer to undertake to make all best endeavours to implement a Traffic Regulation Order if required. There is no evidence at the present time indicating that parked cars would pose an issue to emerging vehicles.

5. The Council's Arboricultural Officer advises as follows:-

Condition 16

Overall, the scheme has managed to reduce the arboricultural impacts to a minimum and with appropriate conditions the protected trees and others can be retained. The attached landscape scheme adequately addresses the proposed planting and can be expected to provide an attractive new setting for the development.

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Hard Surfaces

The proposals have located two new accesses across the root protection areas of the prominent mature trees along Parkfield Road and the application details the no-dig method of construction to be used. For T51 (TPO Tree 12) the proportion of the root protection area proposed for the new access road and car park for units 12 and 13 is high and therefore the appropriate construction detail will be important in retaining this tree. A geogrid is mentioned and details of this will need to be agreed together with the specification for the no-fines Type 1 sub base to be used, the cellular aggregate confinement systems like Cell web are preferred. The proposed surface treatments of these areas are supported but the block paving will need to be dry jointed and the edging details agreed to avoid damaging excavations within the root protection areas. The edges of new hard surfaces will also need to be a minimum of 1 metre from the base of the existing trees.

Because the new accesses require construction within root protection areas the protective fences cannot be erected satisfactorily and therefore a method statement as to how and when the new accesses will be constructed and the fences established will be required to prevent soil compaction before the ground is protected. The statements in the arboricultural report appear to indicate a geotextile/Type 1 base beneath metal or scaffold boards during construction but then these would need removal to allow the permanent geogrid then to be laid, this may be better achieved by installing the geogrid protected accesses early on and protecting these until the finishing surface is applied. This will need to be clarified and agreed in writing in due course.

Trees and Layout

The four proposed houses along Parkfield Road are positioned at approximately 8- 10 metres to the south of the mature protected trees which will limit skylight to the north elevations because of the size of the established trees however with open aspects to the garden and south sides it is not thought that this is unreasonable and is similar to the existing layout in the properties to the east.

The principal tree loss with this layout is an excellent condition mature Silver maple (T30) (Acer sacharinum) in the south west of the site. It is a large tree

which can be seen between the properties on Ethelwulf Road. However, set back behind the properties its prominence is diminished and there are no views of the whole tree from public areas. The application retains a significant large sycamore in an adjacent and slightly more prominent position in the south west corner which in some way mitigates the loss of its neighbour however this tree has some tight and compressed basal forks and may not be suitable for retention in the long term. A large willow in the south east corner is also retained.

Services
No details have been provided; these need to be agreed in writing in due course and should be in accordance with recommendations in BS 5837: 2005.

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6. The County Archaeologist advises as follows:-

Condition 22

Air photographs and the applicants' plans show the extensive footprint of the former Edwardian house, Hurst Grange, and the care home that developed in its grounds. These have been demolished and the 2007 air photo confirms that the site has been cleared. The foundations and services constructed for these former buildings is likely to have disturbed any underlying archaeology.

The proposed development occupies much of the footprint of the former house and care home but extends further south and north into previously undisturbed areas of garden.

The West Sussex HER indicates that Roman pottery and other material has been found in several locations in West Tarring over a hundred metres to the north and south of the application site but the potential of the Parkfield Road area has not yet been established.

7. Condition 24

The Sussex Police Crime Prevention Design Advisor advises that site is in a medium risk crime area and commends much of the design and layout of the development but requests that the fencing to the houses 11-14 is more robust and the rear gates are lockable; defensible space be provided to the block of flats by provision of suitable fencing and gates; planting adjacent to the block's windows and doors; and additional lighting generally and to the cycle storage block. Doors, gates, stores and windows should be designed to meet appropriate standards.

8. The permission is the subject of a unilateral undertaking which covenants the developers/owners to pay a sum of £11,342 towards upgrading first schools; £12,779 towards upgrading Middle Schools; £17,090 towards upgrading secondary schools; £17,120 towards upgrading local transport facilities; £26,113 towards upgrading local transport facilities and £309 towards upgrading fire and rescue services to accommodate the additional pressure on facilities caused by the proposal.