Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/0734/FULL

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

The Tooley & Foster Partnership
Warwick House
116 Palmerston Road
Buckhurst Hill
Essex IG9 5LQ

PROPOSAL: Revised proposals for the erection of 54 No. 1 and 2 bedroom extra care flats with communal facilities, accessed via Durrington Lane and 10 No. new houses accessed via Raglan Avenue. Planning permission WB/07/0794/FULL dated 18th August 2008 refers. Retrospective application including amendments to the design and height of roof, addition of opening roof lights and repositioning of various windows and doors to the 54 extra care flats.

LOCATION : Highdown Court 2 Durrington Lane Worthing

DATE REGISTERED 30th September 2009

APPLICANT : Mr Philip Tunnicliffe

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 4242/LO/06/D, 4242/LO/07/C, 4242/DE/01A, 4242/DE/01C, 4242/DE/03V, 4242/DE/20, 4242/DE/21, 4242/DE/22, 4242/DE/23, 4242/AS/66D, 4242/AS/84, 4242/LO/41D, 4242/LO/42C, 4242/LO/43D, 4242/LO/44C, 4242/LO/45D, 4242/LO/46D, 4242/LO/47C, 4242/LO/48E, 4242/LO/53C, 4242/LO/56C, 4242/LO/58B, 4242/LO/62, 4242/LO/63 and Nos. 4242/DE/02A, DE/03K, DE/13 and DE/14 relating to the private housing only, which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

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Dated : 20th May 2010

Executive Head of Planning,
Regeneration and Wellbeing

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

1. No dwelling house shall be occupied until the parking spaces and garages shown on drawing no. 4242/DE/13 have been provided and constructed. 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.

2. The Extra Care accommodation hereby permitted shall not be occupied until the parking provision and cycle provision as shown on the approved plans for the 'Extra Care' housing has been provided and constructed. 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 ensure that adequate parking and manoeuvring facilities are provided and retained to serve the development hereby permitted and in the interests of visual amenity.

3. The 10 private dwelling houses shall not be occupied until the road access serving the development from Raglan Avenue, hereby permitted has been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

   Reason: To secure satisfactory standards of access for the proposed development.

4. (i) The construction work shall only be carried out on the site in connection with the Extra Care accommodation hereby approved unless there is made available within the site, provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the building operations in accordance with the details submitted pursuant to condition 5 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated 1 May 2009. The agreed facilities shall be retained throughout the entire period of construction work for the Extra Care accommodation phase on the site.

   (ii) No construction work shall be carried out on the site in connection with the 10 private houses hereby approved 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 of the 10 new houses. The facilities as may be agreed shall be provided and retained throughout the entire period of construction work on the site in connection with the 10 new houses.

   Reason: In the interests of highway safety and visual amenity.

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5. (i) Development shall only be carried out on the site in connection with the Extra Care accommodation hereby approved unless there is made available within the site, provision to accommodate all temporary contractors buildings, plant and stacks of materials associated with the extra care flats development in accordance with details submitted pursuant to condition 6 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated 1 May 2009. The agreed facilities shall be retained throughout the entire period of construction work for the Extra Care accommodation phase on the site.

(ii) No development shall be carried out on the site in connection with the 10 private houses hereby approved 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 of the houses. Such provision as may be agreed shall be retained for these purposes throughout the entire period of construction work on the site in connection with the 10 new houses.

Reason: In the interests of highway safety and visual amenity.

6. Prior to first occupation of the Extra Care accommodation hereby approved, the Durrington Road entrance shall be constructed in accordance with Drawing No's 22338/A4/62 and 22338 A1/66 Revision D.

Reason: In the interests of road safety.

7. Within six months of the first occupation of the Extra Care accommodation a Travel Plan for the Extra Care accommodation will be submitted to and shall be approved in writing by the Local Planning Authority in consultation with the West Sussex County Council Highways Authority. Thereafter the approved Travel Plan shall be implemented and monitored to ensure compliance.

Reason: In the interests of sustainable transport.

8. (i) The scheme for the suppression of dust during demolition and construction during the development of the Extra Care accommodation submitted pursuant of condition 9 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated 1 May 2009 shall be implemented throughout the entire course of construction work on site in connection with the Extra Care accommodation.

(ii) No development in connection with the 10 private houses shall take place unless and until a scheme for the suppression of dust during demolition and construction has been submitted to and agreed in writing by the Local Planning Authority. The scheme as may be agreed shall be implemented throughout the entire course of demolition and construction in connection with the 10 new houses unless otherwise agreed in writing by the Local Planning Authority.

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

9. 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.

10. (i) The scheme of hard and soft landscaping relating to the development of the Extra Care accommodation only submitted pursuant to condition 11 of WB/07/0794/FULL in drawing no's 4242/LO/01/Rev E, 4242/LO/06/RevC and BLS1232C and Schedule 31 agreed by the Local Planning Authority by email dated 13 July 2009 shall be carried out in the first planting season following occupation of the building or 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 consent to any variation. All hard landscaping shall be provided prior to the occupation the extra care accommodation.

(ii) Development of the 10 private dwelling houses shall not commence unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for those dwellings, 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. 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 dwelling houses hereby permitted.

Reason: In the interests of amenity and of the environment of the development.

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11. (i) The scheme for the protection of trees on the site submitted pursuant to condition 12 of WB/07/0794/FULL in relation to the development of the Extra Care accommodation phase only in drawing no's 4242/LO/01/Rev E, 4242/LO/06/RevC and BLS1232C shall be implemented throughout the entire course of construction work on the site.

(ii) No development in connection with the 10 private dwelling houses, including site works of any description, shall take place on the site until:

(a) a Tree Protection Plan as recommended in the British Standard BS 5837:2005 has been submitted to and approved in writing by the Local Planning Authority; and

(b) 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.

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

12. Protection of all trees and shrubs as agreed by condition 11 above shall be carried out in accordance with BS 5837:2005 "Trees in relation to construction".

Reason: To safeguard the trees and shrubs during the proposed construction

13. (i) The Extra Care accommodation development hereby permitted shall be completed in accordance with the schedule and samples of materials and finishes to be used for the external walls and roof of the buildings submitted pursuant to condition 16 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated 1 May 2009, 20 May 2009, and as detailed in drawing number 4242/LO/07/C and 4242/AS/66/D.

(ii) The development of 10 private dwelling houses 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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14. (i) The Extra Care accommodation development hereby permitted shall not be occupied until all drainage works have been carried out and completed in accordance with the details submitted pursuant to conditions 17, 20 and 23 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated 13 July 2009.

(ii) The development of the 10 private dwelling houses hereby permitted shall not commence unless and until a scheme for the provision of foul and surface water drainage and means of disposal has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the all drainage works have been carried out and completed in accordance with the agreed scheme.

Reason: To ensure that the proposed development has satisfactory disposal of foul and surface water sewerage and to prevent increased risk of flooding.

15. The Extra Care accommodation development hereby permitted shall not be occupied until the scheme for protecting the proposed dwellings from noise from Littlehampton Road and Durrington Lane has been carried out and completed in accordance with the details submitted pursuant to condition 18 of WB/07/0794/FULL and agreed by the Local Planning Authority by email dated1 May 2009.

Reason: To safeguard the amenities of the occupiers of the dwellings.

16. Provision shall be made for combined aerial, satellite or cable television reception to serve all flats within the development hereby permitted.

Reason: In the interests of visual amenity.

17. If during development any visibly contaminated or odorous material not previously identified is found to be present at the site, it shall be investigated. The Local Planning Authority shall be informed immediately of the nature and degree of contamination present. The development shall submit a Method Statement detailing how this unsuspected contamination will be dealt with which shall be agreed in writing with the Local Planning Authority and fully implemented on site.

Reason: To ensure that the development complies with approved details in the interest of protection of Controlled Waters

18. Prior to the commencement of the development of the 10 private dwelling houses from Raglan Avenue hereby approved, a further Stage 2 Safety Audit shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The recommendations of the Safety Auditor shall be incorporated into revised plans which should then be submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interest of highway safety.

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19. (i) The details of walls, fences and railings for the Extra Care accommodation submitted pursuant of condition 25 of WB/07/0794/FULL submitted on 16 January 2009 and as detailed on drawing no. 4242/DE/03/V shall be carried out and completed prior to occupation of the building.

(ii) The development of the 10 private dwelling houses hereby permitted shall not commence until details of the proposed walls, fences and railings have been submitted to and approved in writing with the Local Planning Authority. The dwellings shall not be occupied such walls, fences and railings as may be agreed have been erected.

Reason: In the interests of amenity.

20. (i) The Extra Care accommodation hereby permitted shall be carried out only in accordance with the approved Drawing Nos. 4242/LO/06/D, 4242/LO/07/C, 4242/DE/01A, 4242/DE/01C, 4242/DE/03V, 4242/DE/20, 4242/DE/21, 4242/DE/22, 4242/DE/23, 4242/AS/66D, 4242/AS/84, 4242/LO/41D, 4242/LO/42C, 4242/LO/43D, 4242/LO/44C, 4242/LO/45D, 4242/LO/46D, 4242/LO/47C, 4242/LO/48E, 4242/LO/53C, 4242/LO/56C, 4242/LO/58B, 4242/LO/62, 4242/LO/63.

(ii) The private housing hereby permitted shall be carried out only in accordance with planning permission WB/07/0794/FULL and approved drawing Nos. 4242/DE/02A, DE/03K, DE/13, DE/14.

Reason: For the avoidance of doubt.

INFORMATIVES

1. The consent of the Environment Agency and/or Southern Water Services Limited will be required for any discharges (land drainage/water supply/surface/and foul water disposal drainage) resulting from the development. The applicant is advised to contact Southern Water (the Divisional Planner at Southern House, Lewes Road, Falmer, Brighton, East Sussex BN1 9PY, (Telephone: 01273 606766) and the Environment Agency (Regional Planning Engineer at Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD, (Telephone: 01903 820692).

2. The applicant is advised that should protected species be present work must stop on site and Natural England informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.

3. 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 Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire or www.southernwater.co.uk

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4. The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant 'saved' policies of the Worthing Local Plan (BE1, H18, TR9) and the South East Plan (SP3, CC1, CC6, H1, H2, H4, H5, T4, SCT5).

5. 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, and to all relevant material considerations, including Supplementary Planning Guidance:

Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H18 - Amenity of Residents
TR9 - Parking Requirements for Development

South East Plan 2009

CC1 - Sustainable Development
CC6 - Sustainable Communities and Character of the Environment
H1 - Regional Housing Provision 2006-2026
H2 - Managing the Delivery of the Regional Housing Provision
H4 - Type and Size of New Housing
H5 - Housing Design and Density
SCT5 - Housing Distribution
SP3 - Urban Focus and Urban Renaissance
T4 - Parking

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.