Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0368/FULL

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

Henry Adams Planning Limited
F A O Mr A Greenwood
Rowan House
Baffins Lane
Chichester
West Sussex PO19 1UA

PROPOSAL: Demolition of church and church hall and redevelopment of the site with 12 x two bedroom apartments and 2 x one bedroom residential apartments (Total 14).

LOCATION : Emanuel Church Chatham Road Worthing

DATE REGISTERED 14th April 2008

APPLICANT : Globe Estates Ltd

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above in the Design and Access Statement and in Drawing Nos. LLD187/02 Rev. 01, 06055-LOC2, 101, 105, 110, 111, 112, 120, 121, 122, 130 and 150 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. No development shall take place until details of the screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. No apartment shall be occupied until such screen walls or fences as may be agreed have been erected.

   Reason: In the interests of amenity.

3. No apartment shall be occupied until the parking spaces shown on the approved plans have been provided and constructed. The parking facilities 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.

4. The development hereby permitted shall not commence until details of the materials 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.

5. The building shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed in writing with the Local Planning Authority.

   Reason: In the interests of highway safety.

6. No apartment shall be occupied until space has been laid 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: In the interests of highway safety.

7. 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.

   Reason: In the interests of highway safety.

8. No apartment shall be occupied until provision has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority to prevent surface water discharging onto the public highway.

   Reason: In the interests of highway safety.

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9. No apartment shall be occupied until all existing accesses to the site (other than the access hereby approved) have been stopped up permanently and obliterated.

Reason: In the interests of highway safety.

10. 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.

11. 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.

12. No development 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 unless otherwise agreed in writing by the Local Planning Authority.

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

13. 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.

14. No external lighting or floodlighting shall be installed or used without the prior approval of the Local Planning Authority in an application on that behalf.

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

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15. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include 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 development hereby permitted.

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

16. The development hereby permitted shall not commence unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building 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.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or as subsequently amended), the rendered elevations of the building hereby permitted shall not be painted other than in a colour as may be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

18. The development hereby permitted shall not commence unless and until a scheme for protecting the proposed apartments from noise from Brougham Road has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme as may be agreed shall be completed before any apartment is occupied.

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

19. Provision shall be made for combined aerial facilities to serve all apartments within the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

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20. Before any of the apartments hereby permitted are occupied, drying areas and dustbin enclosures shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development and the amenities of the area.

21. No apartment shall be occupied until the amenity space shown on the submitted plans has been provided to the written satisfaction of the Local Planning Authority.

Reason: To ensure that amenity space is available on site from first occupation.

22. The development hereby permitted shall not be built other than in accordance with:

a) Level 3 or higher of The Government's Sustainable Homes Code and no dwelling shall be occupied unless and until a certificate from a suitably accredited assessor confirming compliance has been supplied to and approved by the Local Planning Authority; and

b) A scheme for solar voltaic panels and geo thermal heat pumps to be submitted to and approved by the Local Planning Authority, prior to commencement of works. Such approved facilities shall be retained thereafter and maintained in accordance with the manufacturers; instructions.

c) The submitted Waste Minimisation Strategy.

Reason: To ensure a high level of sustainability, in particular to improve the energy efficiency of the building and minimise greenhouse gas emissions, reduce demands on natural resources and waste generation and enhance wildlife habitats in accordance with Saved West Sussex Structure Plan Policies DEV1 and ERA2 and Government policy in PPS9 : Bio-Diversity and Geological conservation; PPG22 : Renewable Energy; PPS1 : Delivering Sustainable Development - Climate Change Supplement and PPS10 Planning for sustainable Waste Management.

23. No apartment shall be occupied until cycle storage provision has been made in accordance with the approved plans.

Reason: To ensure that a sustainable form of transport is available for residents.

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

Reason: To ensure the development meets the travel needs it generates and minimizes harmful impacts in accordance with Worthing Local Plan policies RES12, TR2, TR6 and TR13 and West Sussex Structure Plan policies NE13, NE14, DEV3 and DEV4.

INFORMATIVES

1. Reasons for approval

Officers had recommended refusal of a residential redevelopment of the site in the previous scheme (WB/07/0837/FULL) because of its height, massing, appearance and design; the lack of pedestrian visibility; the lack of car parking or alternative means of transport; and the lack of amenity space or financial contributions towards improving such facilities in the area. The scheme was refused by the Committee at its meeting on 2nd October 2007.

The revised scheme (WB/08/0368/FULL refers) has responded to the reasons for refusal by reducing the scale, improving the design and access, increasing on site car parking and cycle storage provision and finally by agreeing to pay a commuted sum towards open space.

The revised scheme was resolved to be approved by the Development Control Committee on the 17th June 2008.

2. Development contributions

This planning permission will be subject to a Unilateral Undertaking and condition which covenants the developer to pay, prior to first occupation, a sum of £12,400 towards the upgrading of local transport facilities to accommodate the development and £18,379 towards the improvement of open space in the area.

West Sussex County Council is the Local Transport Authority responsible for the Local Transport Plan which sets out the transport strategy for the county including Worthing and related implementation programmes. This includes provision to accommodate the cumulative harmful effects of new development on the transport network and transport conditions. In part, the programme relies on and anticipates external funding and developers undertaking appropriate works in kind to secure this. In accordance with adopted Worthing Borough Council Supplementary Planning Guidance Parking Standards & Transport Contributions and West Sussex County Council Supplementary Planning Guidance Revised County Parking Standards and Transport Contribution Methodology a financial sum of £12,400 would represent a suitable and proportionate contribution from this proposal to the development and implementation of such a programme for the local area in view of the development's harmful impacts on the local transport network and local transport conditions.

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This financial contribution should be secured by a planning obligation in the form of a unilateral undertaking. Alternatively, at the discretion of the Local Planning Authority, any necessary works as may be agreed with the Local Planning Authority and Local Transport Authority may be undertaken in kind by the developer under appropriate license and authorization. All communication in respect of the above with a view to discharge of condition 24 shall be through the Local Planning Authority.

3. 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
H18 - Amenity of Residents
LR8 - Provision of Play Space/Outdoor Recreation Space in Housing Schemes
RES12 - Provision of Infrastructure
SC1 - Facilities acceptable in District and Neighbourhood Centres
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

DEV1 - High Quality Development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA1 - Making the best use of land

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.