Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0017/OUT

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

Dearle And Henderson
Suite 303
44 North Road
Brighton
East Sussex
BN1 1YR

PROPOSAL: Outline application for demolition of existing detached house and erection of a block of 8 No. one and two bedroom flats, alterations to existing access and parking

LOCATION : 5 West Avenue Worthing

DATE REGISTERED 9th January 2008

APPLICANT : Mr M Newman

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing No. A207/03/B, which accompanied the application, or as subsequently amended prior to consideration, is to
GRANT PERMISSION subject to the following conditions:-

1. Approval of the details of the layout, scale, appearance, access arrangements and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before any development is commenced.

   Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

   The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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Dated : 4th March 2008

Assistant Director (Planning Services)

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

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Procedures) (Amendment) (England) Order 2006.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no part of the roof of the building hereby approved shall be used as a balcony or terrace, nor shall any access be formed to it unless it has been approved by the Local Planning Authority in an application on that behalf.

   Reason: To safeguard the amenities of the occupiers of adjoining property.

3. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage 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.

4. No dwelling shall be occupied until the parking spaces and garages shown on the approved plans 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.

5. The building shall not 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.

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.

   Reason: In the interests of highway safety.

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7. 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.

8. 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.

9. 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.

10. 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.

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11. 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.

12. 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 has 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.

13. The building hereby approved shall not be brought into use or occupied until all external finishes, as shown on the approved plans, have been fully completed to the satisfaction of the Local Planning Authority.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

14. Prior to the flats hereby approved being occupied, refuse provision/bin stores shall be provided for the flats in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: To ensure satisfactory facilities for the storage and disposal of refuse in the interests of hygiene and visual amenity.

15. The development hereby permitted shall not be commenced until the following measures have been undertaken:-

    (i) the submission of a scheme for the investigation of potential ground contamination;

    (ii) the approval of the scheme referred to in (i) above by the Local Planning Authority;

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(iii) the completion of a site investigation in accordance with any scheme as may be agreed;

(iv) the submission to and written approval by the Local Planning Authority of the results of any such investigation;

(v) the submission to and written approval by the Local Planning Authority of a detailed action plan for remediation of the site;

(vi) the full implementation of the agreed action plan on the site to the satisfaction of the Local Planning Authority.

Reason: To ensure that any ground contamination is properly remediated in the interests of amenity and the environment.

16. 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, 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 Worthing Local Plan Policies RES1 and RES2 and 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.

17. Development contribution condition

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 saved Worthing Local Plan Policies RES12 and saved West Sussex Structure Plan Policies NE13, NE14, DEV3 and DEV4.

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INFORMATIVES

1. 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 £5,800 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. 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 17 shall be through the Local Planning Authority.

2. 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
H16 - Domestic Extensions and Alterations
H18 - Amenity of Residents
RES7 - Control of Polluting Development
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

DEV1 - High Quality Development
ERA1 - Making the best use of land
LOC1 - Locational strategy
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.