Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1565/FULL

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

Helyer Design Ltd
Mr Thomas Davies
Helyer Design
2 Queen Street
Emsworth
Hampshire
PO10 7BL

PROPOSAL: Demolition of existing dwelling and erection of a two storey building comprising 7 flats with 5 car parking spaces, bin and cycle stores.

LOCATION : 31 Shelley Road Worthing

DATE REGISTERED 24th December 2007

APPLICANT : Mr David Rusholme

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 07004/300 REV. G and 07004/301 REV. G, 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 : 12th February 2008

Assistant Director (Planning Services)

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, including the new sections/making good of the flint boundary wall/piers fronting Shelley Road, and the low-level screen walls, have been submitted to and approved in writing by the Local Planning Authority. The new sections of flint walling/piers and works of making good shall be executed in matching flint cobbles (not flint blocks) and shall be detailed to match the existing flintwork in size, shape, colour, bonding and coursing. No dwelling shall be occupied until such screen walls and/or fencing, including the new sections/making good of the front (north) boundary wall, have been erected.

   Reason: In the interests of amenity.

3. The development hereby permitted shall not be occupied until the parking provision (5 spaces) shown on the approved plans 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.

4. Secure covered cycle parking facilities shall be provided within the curtilage of the site, precise details of which, including their number and siting, shall be agreed in writing with the Local Planning Authority prior to the commencement of the works. Such agreed facilities shall be provided on site prior to the flats hereby approved being occupied.

   Reason: To encourage and provide for a non car mode of transport to and from the site.

5. The building shall not be occupied until the new 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. The access to the proposed site shall not exceed 3.5 metres in width and shall be laid out to provide hard landscaped visibility splays on each side of the access within the adjacent public highway in accordance with detailed plans and a precise specification for their construction and materials, to be submitted to and approved in writing by the Local Planning Authority. No other work shall be carried out on the site until the above-mentioned splay areas have been provided.

   Reason: In the interests of highway safety.

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7. No dwelling shall be occupied until the existing vehicle access to the site has been stopped up permanently and obliterated and the kerb re-instated.

Reason: In the interests of highway safety.

8. 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.

9. 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no gate, fence, wall or other means of enclosure shall be erected, constructed or altered in any way other than as approved under Condition 2 of this permission, unless permission is granted by the Local Planning Authority in an application on that behalf.

Reason: In the interests of visual amenity.

11. No work for the implementation (including demolition works) 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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12. 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 additional small tree/shrub planting on the frontage and adjacent to the car parking spaces shown along the west side boundary. The scheme 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.

13. 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 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.

14. The ground floor window in the westernmost elevation of the building hereby permitted shall be constructed so that any part below 1.75 metres above finished floor level shall be fitted with, and retained in, obscured glazing.

Reason: To protect the amenities and privacy of the occupiers of the adjoining property.

15. Provision shall be made for combined aerial facilities to serve all flats within the development hereby permitted.

Reason: In the interests of visual amenity.

16. The development hereby permitted shall not commence unless and until a more detailed scheme for the disposal of surface water drainage has 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.

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17. 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.

18. This permission relates to the amended plans submitted on 5th and 8th February 2008 and not to the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

19. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development, including precise details of the solar panels shown within the roof well, 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 Saved 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.

20. No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: In order that unnecessary lighting shall not cause nuisance and in the interests of energy efficiency.

21. 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 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 West Sussex Structure Plan Policies NE13, NE14, DEV3 and DEV4.

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22. Before the development is commenced, detailed drawings and sections at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority, showing precise details of the design, profile, material, colour and external finishes of the:
    i) Roof and supports of the verandah/porch,
    ii) Decorative bargeboards,
    iii) Pargetting (on the front gable), and
    iv) Brackets supporting the cantilevered first floor on the east side of the building
    v) Decorative porch on the east side elevation.

    Thereafter, the development shall be carried out in accordance with the agreed details.

    Reason: In the interests of visual amenity.

23. Before the development is commenced, detailed drawings and sections of the proposed windows shall be submitted to, and approved in writing by the Local Planning Authority, showing the method of opening, position of glazing bars, the setback of the frame from the external wall face, window cills and the colour, texture and form of the masonry arches over the openings. Thereafter the development shall be carried out in accordance with the agreed details.

    Reason: In the interests of visual amenity.

INFORMATIVES

1. The decision to grant planning permission has been taken having regard to the representations received from third parties and responses to consultations. 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. The development 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, H10, H18 and TR9) and the saved policies of the West Sussex Structure Plan 2001 - 16 (LOC1, NE1, CH1, CH4, DEV1, DEV4, ERA1, ERA2).

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2. 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 and Transport Contributions and West Sussex County Council Supplementary Planning Guidance Revised County Parking Standards and Transport Contribution Methodology a financial sum of £6,720 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 authorisation. All communication in respect of the above with a view to discharge of Condition 21 shall be through the Local Planning Authority.

3. It will be necessary, as a result of this development, for works to be carried out within the existing public highway. The developer will be required to enter into an Agreement under Section 278 of the Highways Act 1980 to ensure that this work is carried out prior to the occupation of the developer. The developer will also be required to enter into a maintenance licence with the Highway Authority to ensure the future maintenance of the splays within the public highway.

4. 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
H10 - Loss of Existing Dwellings
H18 - Amenity of Residents
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
CH4 - Conservation areas and historic towns and villages
DEV1 - High Quality Development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking Provision

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ERA1 - Making the best use of land
ERA2 - Nature Conservation
LOC1 - Locational strategy
NE1 - Level of residential and employment development

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.