Worthing Borough Council

Planning, Regeneration and Wellbeing

Mr J Breckell
James Breckell Architects
The Adur Business Centre
Little High Street
Shoreham By Sea
West Sussex
BN43 5EG

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

APPLICATION NUMBER: WB/10/1033/FULL

Details of Development
Demolition of existing non-Listed Buildings on the site and erection of development comprising of 11 residential apartments on ground, first and second floors a 77sqm commercial unit, bicycle storage, refuse and recycling store, 8 car parking spaces, new pedestrian twitten, lift and stair lobby to first floor level and change of use and conversion of No. 89 Portland Road (Listed Building) to provide a residential dwelling house. Amendments to planning permission WB/08/1014/FULL dated 15th December 2008.

Location of Development
Spells Buildings Grafton Place Worthing West Sussex BN11 1QX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 18th January 2011.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
14/05/2013

PTO

Worthing Borough Council, Planning Services, Portland House,
Richmond Road, Worthing, West Sussex, BN11 1LF
Tel: (01903) 221065 Fax: (01903) 221072
Minicom: (01903) 204500 DX: 142965 Worthing 10
web: www.worthing.gov.uk

SCHEDULE

Reasons for Granting Permission

01. The redevelopment proposal represents a substantial improvement to the existing site in terms of the design and the reduction in the type and number of commercial movements whilst providing good quality modern and valuable small residential apartments within a highly sustainable location. The existing Listed Building would be sensitively converted and the existing buildings, which are not structurally sound, would be safely removed and replaced with a more sustainable and well designed form of development.

    Whilst, the original approval created a well balanced mixed use scheme providing both employment and additional residential accommodation in a sustainable town centre location, it is clear that the scheme is not now viable and a more flexible approach is required. In view of the overall viability of the project there is sufficient justification not to require the normal affordable housing requirements and development contributions in this instance. The additional residential units are to be welcomed and overall the development would represent a significant investment in the local economy and create employment for the construction industry. In addition, the development would enhance the character and appearance of the Conservation Area. The development would therefore comply with saved Policies BE1, RES7, RES9, RES12, TR9, H18 and LR8 of the Worthing Local Plan, Adopted Core Strategy Policies 4, 7, 8, 10, 11, 12, 14, 16, 17 and the National Planning Policy Framework (NPPF).

Conditions

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

    Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

02. No development shall be carried out unless and until a schedule and samples of materials and finishes (including sample flint panels) to be used for the external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority. These will include the use of second hand recycled materials .Thereafter the development shall be completed fully in accordance with the agreed materials.

    Reason: *In the interests of visual amenity and to comply with Policy 16 of the Core Strategy.*

PTO

03. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:-
all previous uses;
potential contaminants associated with those uses;
a conceptual model of the site indicating sources, pathways and receptors;
potentially unacceptable risks arising from contamination at the site;

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (1 + 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

(5) Prior to (commencement of development)/(occupation of any part of the permitted development), a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the Local Planning Authority.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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.

PTO

Reason: *In the interests of environmental protection and public safety and to safeguard against pollution and to comply with saved Worthing Local Plan Policy RES9, Policy 15 of the Core Strategy and the National Planning Policy Framework.*

04. The development hereby permitted shall not be commenced unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved 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 approved by the Local Planning Authority. (There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.)

Reason: *To ensure that the proposed development is adequate drained.*

05. No development shall take place until the applicant has satisfactorily recorded the buildings and secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority. At the same time a historic buildings report on the existing buildings and their history shall be submitted to and agreed in writing by the Local Planning Authority before any works to remove the buildings commences.

Reason: *In order to ensure that archaeological features and artefacts revealed during the course of development are adequately recorded to provide a historic record of the site.*

06. Any facilities for the storage of oils, fuels or chemicals in connection with the development shall be fixed on an impervious base and surrounded by impervious walls and shall be constructed and completed in accordance with plans to be approved by the Local Planning Authority. Only clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic shall be used as foundations, infill or ground raising material.

Reason: *To safeguard against pollution of groundwater, protect public health and safety and to comply with saved Worthing Local Plan policy RES7.*

07. The existing access shall be stopped up as appropriate and the new access from the site to the public highway shall be designed, laid out and constructed with in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any other operation or use authorised by this permission is commenced.

Reason: *In the interests of highway safety.*

PTO

08. The office unit shall be used only for purposes within Use Class B1 as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: *In the interests of amenity and to comply with saved Policy H4 of the Core Strategy.*

09. The buildings shall not be occupied until the car and cycle parking spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The areas so provided shall not thereafter be used for any purpose other than parking of cars and cycles related to the use of the development.

Reason: *To ensure adequate provision for parking vehicles clear of the highway and to provide a sustainable form of transport to comply with saved Policy TR9 of the Worthing Local Plan.*

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. Thereafter the approved Statement shall be implemented and adhered to throughout the entirety of construction period. The Statement shall have regard to and provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in construction of the development;
(iv) the erection and maintenance of security hoarding;
(v) he erection of site office and ancillary structures
(vi) wheel washing facilities;
(vii) measures to control the emission of noise, vibration, dust and dirt during construction;
(viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
(ix) 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.
(x) a scheme for lighting security and construction

Reason: *In the interests of highway safety and amenity and to safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policy RES7 of the Worthing Local Plan.*

PTO

11. No development shall commence unless and until elevations and floorplans at a scale of 1:50 and architectural details at a scale not less than have been submitted to and approved in writing by the Local Planning Authority. These architectural details shall include:-

    (a) all external doors and windows,
    (b) dormers/half dormers,
    (c) rooflight windows,
    (d) all walls, gates and fences,
    (e) chimneys,
    (f) eaves and bargeboards,
    (g) roofs and hips,
    (h) external meter boxes, flues, cables etc. associated with utilities and services,

    Reason: *The development shall not be built other than in full accordance with any such approved details and shall be retained thereafter.*

12. Prior to the commencement of development details of lighting for the pedestrian twittens adjoining the site shall be submitted to and approved in writing with the Local Planning Authority. Thereafter, the approved lighting scheme shall be installed and maintained at all times.

    Reason: *In the interests of amenity and public safety.*

13. The development shall incorporate existing signage (or copies) from the current buildings on the site in a manner to be agreed in writing with the local Planning Authority.

    Reason: retain historic references to the previous buildings and their uses within the new scheme in the interests of retaining the historic interest of the site in the future.

14. Provision shall be made for combined aerial and/or satellite/cable facilities to serve all flats within the development hereby permitted in a manner and in a position to be agreed in writing by the Local Planning Authority. At no time shall external individual aerials or satellite dishes be installed on the buildings without the prior approval of the Local Planning Authority.

    Reason: *To protect the character and appearance of the Conservation Area.*

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or as subsequently amended), the 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: *To protect the character and appearance of the Conservation Area.*

PTO

16. The offices hereby approved shall not be open for trade or business except between 0800 hours and 2000 hours Mondays to Saturdays and shall not be open on Sundays or on Bank or Public Holidays.

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

17. No building shall be occupied unless and until refuse storage has been provided within the development in accordance with details 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.*