Worthing Borough Council

Planning, Regeneration and Wellbeing

Mr Mark Folkes
Corner Studio Limited
The Design Studio
94 High Street
Steyning
West Sussex BN44 3RD

PLANNING PERMISSION

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

APPLICATION NUMBER: WB/10/0025/FULL

Details of Development

Alterations and conversion of existing detached dwelling house including first floor balcony on rear elevation to provide 4 x one bedroom flats at 80 Dominion Road and demolition of existing single storey opticians (80A Dominion Road) and construction of 3 storey building comprising replacement opticians on ground floor with 3 flats on first and second floors. (Re-submission of WB/09/0459/FULL). : Revisions including Retention of No 80 as a single family dwelling house and alterations to parking to provide five car spaces for No 80A and retain two car spaces for No 80 and resite cycle parking for No 80A on south side of new building

Location of Development

80 Dominion Road Worthing West Sussex BN14 8JT

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 15th January 2010.

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

[redacted]

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
02/08/2011

Contd. ....

Worthing Borough Council

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

SCHEDULE

Reasons for Granting Permission

01. The decision to grant planning permission has been taken having regard to the Development Plan as set out below,

Saved Worthing Local Plan Policies 2003

RES7 TR9 and H18

South East Plan 2009

BE1, SP3; CC1; CC2; CC3; CC4; H1; H4: T2; T4; NRM4; SCT1; SCT2; SCT3;and SCT5
and to all relevant material considerations, including:

- National Policy Government Policy in Planning Policy Statement 1: Delivering Sustainable Development: PPS3: Housing; PPS5: PPS25: Development and Flood Risk and Planning Policy Statement 1: PPS3; Housing; PPG13; Transport and PPS1 Delivering Sustainable Development: Climate Change Supplement.
- and all representations and consultation responses received.

In reaching its decision the Council concluded that the proposed development of this sustainably, located, and long established mixed use brownfield site is acceptable in principle and the proposal makes efficient use of the land resulting in a net increase in dwellings and enlarged and upgraded businesses premises, as well as retaining a family house. The development is well designed and will integrate well into the streetscene and lift the area. It has been carefully configured to avoid unacceptable harm to neighbouring occupiers and will provide and an adequate quality of environment for future occupiers. Access and parking are satisfactory. As such, the amended proposal should be supported.

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.

Conditions

01. The development hereby permitted shall be begun before the expiration of five 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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02. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in any condition attached to this permission:-

Drawing No	CS00051-1.02	Date received 15.1.10
Drawing No	CS00051-1.03	Date received 15.1.10
Drawing No	CS00051 - 201- C	Date received 8.4.11
Drawing No	CS00051- 2.02-B	Date received 8.4.11
Drawing No	CS00051 - 2.03-A	Date received 8.4.11

Reason: *For the avoidance of doubt and in the interests of proper planning.*

03. The ground floor commercial premises at 80A shall be used only as an opticians with allied manufacture and finishing of goods and for no other purpose, including any other purpose in Use Class B1 or D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: *Other uses within this Use Class may result in disturbance to the neighbouring residential occupiers due to the intensity of use and traffic or noise and smell in accordance with saved Worthing Local Plan Policies RES7, H18 and TR9.*

04. The use hereby permitted shall not commence or be carried on unless and until the ground floor commercial premises at 80A have been sound insulated in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: *To safeguard the amenities of the occupiers of the upper floor flats in accordance with saved Worthing Local Plan Policies RES7 and H18.*

05. Provision shall be made for combined aerial facilities to serve all flats within 80A hereby permitted.

Reason: *In the interests of visual amenity in accordance with Core Strategy Policy 16.*

06. Prior to the flats hereby approved being occupied, refuse provision/bin stores shall be provided for the flats in accordance with the approved plans with details of enclosures for which 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 and domestic recycling and composting in the interests of hygiene and visual amenity and minimising land fill in accordance with saved Worthing Local Plan Policies RES7 and H18 and Core Strategy Policy 16 and Planning Policy Statement 3: Housing.*

Contd. ....

07. 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;

(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 in accordance with saved Worthing Local Plan Policies H18 and RES7.*

08. No dwelling 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 of vehicles.

Reason: *To ensure that adequate provision is made for parking vehicles clear of the highway in accordance with saved Worthing Local Plan Policy TR9 and Planning Policy Statement 3: Housing and PPG13: Transport.*

09. Secure cycle parking facilities shall be provided within the curtilage of the site, in accordance with the approved plans, precise details of the enclosure for which 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 in accordance with PPG13: Transport and Planning Policy Statement 3: Housing.*

10. The accesses from the site to the public highway shall be designed, laid out and constructed with visibility splays and sight lines in accordance with the approved plans and the retained thereafter.

Reason: *In the interests of highway safety in accordance with saved Worthing Local Plan Policy TR9 and PPG13: Transport.*

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11. The development shall not commence unless and 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 for the discharge of surface water from the site.

Reason: *To minimise flood risk in accordance with PPS25: Development and Flood Risk and Core Strategy Policy 15.*

12. 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.*

13. 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.*

14. 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 in accordance with saved Worthing Local Plan Policies H18 and RES7.*

15. 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 in accordance with saved Worthing Local Plan Policies H18 and RES7.*

16. The commercial premises at 80A shall not be open for trade or business except between the hours of 8am to 8pm and Mondays to Fridays; 8am to 6pm Saturdays and 9am to 5pm Sundays and the premise shall be closed on Public or Bank Holidays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties and the flats at 80A in accordance with saved Worthing Local Plan Policies H18 and RES7.*

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17. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping in accordance with the approved plans, which shall include details of species any and measures for the protection of the retained trees and hedges during the course of development. For avoidance of doubt, all the trees shown as retained on the approved plans shall be retained and protected thereafter. 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 and the flats in accordance with saved Worthing Local Plan Policy H18, Core Strategy Policy 16 and Planning Policy Statement 3: Housing and PPS9: Planning For Biodiversity and Geological Conservation.*

18. No development shall commence unless and until detail so the boundary treatments have been submitted to and approved by the Local Planning Authority and the agreed treatments shall be retained thereafter.

Reason: *In the interests of visual and neighbour amenity in accordance with saved Worthing Local Plan Policy H18, Core Strategy Policy 16 and Planning Policy Statement 3: Housing and PPS9: Planning For Biodiversity and Geological Conservation.*

19. No dwelling at 80A shall be occupied unless and until a suitable certificate from an accredited assessor has been received by the Local Planning Authority to demonstrate the dwellings have been designed and built to achieve at least Level 3 of the Government's Sustainable Homes Code or the equivalent of any successor.

Reason: *To ensure the development optimises the potential for sustainable design in accordance with Core Strategy Policy 17.*

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20. Notwithstanding the submitted drawings, the development shall not commence unless and until architectural details of 80A and samples of the external materials and finishes have been submitted to and approved by the Local Planning Authority. These shall include details of:-

a) shopfront
b) external windows (all trickle vents shall be concealed) and doors
c) dormers and rooflights
d) eaves and soffits
e) roof hips and ridges.
f) chimneys
g) finials, bargeboards, brackets and rafters
h) porches
i) rainwater goods, external metre boxes, flues and cables associated with utilities.
k) bays, cornices and string courses.
i) all finishes to the walls and roof

The development shall not be built other than in full accordance with any such approval.

Reason: *In the interest of visual amenity in accordance accord with Core Strategy Policy 16 and Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.*

21. The upper floor windows on the south elevation of No 80A serving the living room and first floor windows on the north elevation shall be obscure glazed and non-opening and they shall not subsequently be altered in any way without the prior consent of the Local Planning Authority in an application on that behalf.

Reason: *To protect the amenities and privacy of the occupiers of the adjoining properties in accordance with saved Worthing Local Plan Policies RES7 and H18.*

Informatives / Notes to Applicant

01. West Sussex County Council Highways Department advises that a license from the Area Office to carryout and agree the details of the dropped kerbs is required;

HIghway Network Manager
Southern Area Office
Clapham Common
Clapham
Worthing
BN13 3UR

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02. The Environment Agency advises that when carrying out construction and demolition activities, potential sources of pollution from site activities will need to be identified so that appropriate pollution prevention measures are taken to avoid any contamination of controlled waters. Controlled waters include lakes, rivers, coastal waters and groundwater.

It is necessary to prevent pollution of surface and/or groundwaters especially during site works. There should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters whether direct or via soakaways during and after the proposed works.

The risk of pollution at construction and demolition sites can be significantly reduced by providing secondary containment measures for storage tanks. Oil tanks must comply with the requirements of the Control of Pollution (England) (Oil Storage) Regulations 2001.