Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/0340/FULL

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

Mr Chris Wojtulewski
Parker Dann
S10
The Waterside Centre
North Street
Lewes
East Sussex BN7 2PE

PROPOSAL: Conversion of existing property into two dwellings and proposed development of two semi-detached houses, with parking and landscaping.

LOCATION : 40 Ladydell Road Worthing

DATE REGISTERED 24th April 2009

APPLICANT : Mr Mark Vroobel

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the existing floor plans and elevations, proposed floor plans and elevations for conversion of existing house into two self-contained units, proposed three-bed, semi-detached houses, floor plans and streetscene, PD/02 Section identifying floor levels, proposed three-bed semi-detached houses, elevations and site plan 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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[redacted]

Dated : 2nd June 2009

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. The submitted details shall include the retention of the existing flint and brick dressed boundary wall fronting Ladydell Road, as shown on the approved drawing, and details of the new sections of splayed wall on either side of the new accesses onto Ladydell Road to consist of flint and brick dressed walls, with piers, to match the height, design, external finishes and materials of the existing adjacent front boundary wall. No dwelling shall be occupied until such walls and fencing as may be agreed have been erected.

   Reason: In the interests of amenity.

3. 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.

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 dwellings hereby approved being occupied.

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

5. No development shall commence until the crossings between the boundary of the site and the adjoining carriageway(s) have 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 development shall be commenced until pedestrian visibility splays of 2 metres by 2 metres have been provided for the vehicular accesses. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level.

   Reason: In the interests of highway safety.

7. No works shall be carried out on site unless provision is available within the site (or other adjacent land within the applicants control) in accordance with details approved by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

   Reason: To avoid undue congestion of the site and consequent obstruction to access.

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8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the dwellings shall not be extended or altered in any way or provision made for any hard surface unless permission is granted by the Local Planning Authority in an application on that behalf.

   Reason: In the interests of residential amenity and because the provision of additional hard surfacing may increase the risk of flooding.

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.

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 details of the existing trees, shrub/hedgerows and planting on the site shown on the approved drawings to be retained, together with measures for their protection during the course of the development. Details of landscaping shall include soft landscaping/planting to the front and rear gardens of the new build dwellings and areas of soft landscaping/planting to the amenity areas shown on the approved drawings as serving the converted dwellings. All planting seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting 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 other of similar size and species, unless the Local Planning Authority gives written consent to any variation. Hard landscaping details shall include the size, siting and permeable construction of any patios/terraces and footpaths within the curtilage of the dwellings. 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.

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12. No development, including demolition or site works of any description, shall take place on the site unless and until all the existing trees, bushes and hedges to be retained on the site have been protected by fencing in accordance with a detailed tree protection plan based on the British Standard BS5832:2005 which has been submitted to and approved in writing by the Local Planning Authority. Such fencing as agreed shall be erected around each tree (or group of vegetation) at a radius from the bole or boles of 5 metres (or such distance as may be agreed in writing by the Local Planning Authority). within the areas so fenced off, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored within such areas. If any trenches for services are required in the fenced off areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 millimetres or more shall be left unsevered.

    Reason: To ensure that vegetation which is important to the visual amenity and for the environment of the area is retained.

13. The development hereby permitted shall not commence unless and until a schedule of materials and external finishes to be used for the external walls and roofs of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The submitted schedule shall include details of the proposed re-rendering and painting of the existing building (to be converted). Thereafter, the development shall be completed fully in accordance with the agreed materials and finishes.

    Reason: In the interests of visual amenity.

14. Prior to the commencement of the development hereby permitted detailed drawings of the proposed windows (including their materials, sills, style and method of opening) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the windows shall be completed in accordance with the agreed details.

    Reason: In the interests of visual amenity.

15. The first floor window on the north elevation of the northernmost new build dwelling hereby permitted shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Thereafter the window shall not 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 property.

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16. The windows and openings in the existing building (to be converted) shown on the approved drawings as being blocked up shall be carried out to match the materials and external finishes of the adjacent walls of the building agreed under condition 13 of this permission.

Reason: In the interests of visual amenity.

17. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development and its construction which should ensure the new build dwellings attain Sustainable Homes Code Level 3, 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 new build dwellings shall not be occupied unless and until a certificate from a suitably accredited assessor confirming compliance with the Government's Sustainable Homes code Level 3 has been supplied to and approved by the Local Planning Authority.

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 Policies NRM1, NRM11, NRM3, NRM10, CC1, CC2, CC3, CC4, NRM16, W3 and W7 of The South East Plan 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.

18. 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.

Reason: In the interests of environmental protection and public safety.

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19. Development shall not be commenced until details of the height of finished floor levels of the new build dwellings have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Environment Agency. These shall be set no lower than 2.1 metres above Ordnance Datum (AOD) in order to match or exceed the finished floor levels of the existing property known as 40 Ladydell Road. The floor levels should be implemented in accordance with the levels agreed.

    Reason: In accordance with the principles of Planning Policy Statement 25 - "Development and Flood Risk" (PPS25). To reduce the risk of flooding to the proposed development and future occupiers.

20. The development hereby permitted shall not commence unless and until details of a sustainable surface water drainage system (SUDS) and means of disposal, including details for storage of peak storm rainfall and its controlled discharge, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water and the Environment Agency. The infiltration rates for any soakaway shall be based on permeability tests undertaken over the winter period and not those during the drier months. The SUDS design shall be based on BRE365 and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway and the highest recorded water table. Provision shall be made to ensure that there is capacity in the system to contain below lowest ground level the 1 in 100 year event plus 20% on stored volumes. 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 and to reduce the risk of flooding to the proposed development and future occupiers.

INFORMATIVES

1. The applicant is advised that an amendment to the Traffic Regulation Order for the removal of part of the on-street parking bay fronting the proposed new build dwellings in Ladydell Road will be necessary in order to implement the proposed vehicular accesses to the site.

2. The applicant is advised to contact the Area Engineer, West Sussex County Council, Clapham Common, Clapham, Worthing, BN13 3UR, (Tel no: 01243 642105) to obtain formal approval from the Highway Authority to carry out the site access works on the public highway.

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel: (01962) 858688) or www.southernwater.co.uk

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4. In arriving at a decision consideration was given to the representations received from third parties. However, it was resolved to grant conditional planning permission on the basis that the proposed development would make effective use of an existing brownfield site within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. Subject to the safeguards imposed by the conditions of planning permission the development can take place without resulting in unacceptable detriment to the amenities of neighbouring occupiers, without detraction to highway safety, without harm to the preserved willow tree on the site the subject of TPO No. 3 of 2007, and without unacceptably increasing the risk of flooding.

5. 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
RES7 - Control of Polluting Development
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

BE1 - Management for an Urban Renaissance
CC1 - Sustainable Development
CC2 - Climate Change
CC3 - Resource Use
CC4 - Sustainable Design and Construction
H5 - Housing Design and Density
H6 - Making Better Use of the Existing Stock
NRM1 - Sustainable Water Resources and Groundwater Quality
NRM3 - Strategic Water Resources Development
NRM4 - Sustainable Flood Risk Management
NRM10 - Noise
NRM11 - Development Design for Energy Efficiency and Renewable Energy
NRM16 - Renewable Energy Development Criteria
SCT5 - Housing Distribution
W2 - Sustainable Design, Construction and Demolition

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.