Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0429/FULL

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

Mr Kean Elliott
Michael Cook Associates
11 Goring Road
Worthing
West Sussex
BN12 4AP

PROPOSAL:	Demolition of existing redundant commercial/industrial buildings. Erection of two-storey (with dormers) terrace of 4 no. 3-bed dwellinghouses and 1 no. 2 bed flat fronting St. Dunstans Road and pair of two-storey 2 bed dwellinghouses to south-west corner of site, together with parking forecourt and landscaping.
LOCATION :	Land at 13-25 St Dunstans Road Worthing
DATE REGISTERED	19th May 2010
APPLICANT :	Mr D Chipping

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 4797/40 Rev. E, 4797/41 Rev. D, 4797/42 Rev. M and 4797/43 Rev. A 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 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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Dated : 9th September 2010

Executive Head of Planning,
Regeneration and Wellbeing

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

2. 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 site investigation scheme, based on the submitted preliminary risk assessment titled Walk over & Desk top survey by Terractec Services Ltd dated 13th January 2010, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. The site investigation results and the detailed risk assessment (1) 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.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4. Prior to commencement of 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.

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 policy RES7 and PPS23: Planning and Pollution Control.

3. 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.

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Reason: The site is situated on or adjacent to a site which has been identified through Worthing Borough Councils Contaminated Land Inspection Strategy as having the potential to be contaminated. During development of land potentially affected by contamination, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on this. This is required in accordance with Saved Worthing Local Plan policy RES7 and PPS23: Planning and Pollution Control.

4. No development shall take place unless details and samples of the materials and finishes to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall not be built out on site unless in strict conformity with the approved details.

Reason: In the interests of visual amenity in accordance with Saved Worthing Local Plan policies BE1 and Planning Policy Statement 1: Delivering Sustainable Development

5. No construction work shall be carried out on the site unless and until there is made 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. Vehicles associated with the building operations shall only park on site in these agreed facilities, which shall be provided and retained throughout the entire period of construction work on the site.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interests of visual amenity in accordance with Saved Worthing Local Plan policies H18 and RES7.

6. No development shall be carried out on the site unless and until provision is made 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 buildings, plant and stacks shall only be placed on site in these agreed facilities, which shall be retained for this purpose throughout the entire period of construction work on the site.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interests of visual amenity in accordance with Saved Worthing Local Plan policies H18 and RES7.

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7. No development, including site works, shall take place unless a scheme for the suppression of dust during demolition and construction has been submitted to and agreed in writing by the local planning authority. All buildings and structures existing on the application site at the date of this permission shall be demolished, the debris removed form the site and the site cleared, prior to the construction of any building hereby permitted. The agreed dust suppression scheme 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.

8. 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.

9. No development, including site works of any description, shall take place on the site unless a report by a qualified Arboriculturist detailing protection measures for the two mature trees on the adjoining railway land to the south site boundary has been agreed in writing by the local planning authority. The details of this report shall include measures for the overhanging branches of the two trees and a fence erected around each tree at a distance as agreed 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 thereon without the prior written approval of the local planning authority. If any trenches for services are required in the fenced off area they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left un-severed. No development shall take place unless in strict adherence to the details of the report throughout the entire period of demolition and construction work on the site.

   The development hereby permitted shall be implemented in accordance with details first submitted to and approved in writing by the local planning authority of hard and soft landscape works. All hard and soft landscape works shall be carried out in strict accordance with the approved details prior to the occupation of any part of the development. Any trees or plants which, within a period of five 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 approval to any variation.

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The burning of materials obtained by site clearance or from any other source through construction work shall not take place within 6 metres of the furthest extent of the canopy of any tree to be retained on the site or on land adjoining.

Reason: In the interests of visual and neighbour amenity and of the environment of the development, including bio-diversity in accordance with Saved Worthing Local Plan policies H18 and BE1 and Planning Policy Statement 1: Delivering Sustainable Development; Planning Policy Statement 3: Housing and PPS9: Planning For Biodiversity and Geological Conservation.

10. The development hereby permitted shall be implemented in accordance with details first submitted to and approved in writing by the local planning authority of hard landscape works which shall include a specifications and samples of the materials and finishes of the entrance granite setts, drive, kerb detailing, bollards, raised platform, footpaths and vehicle parking areas. All hard landscape works shall be completed on site in strict accordance with the approved details prior to the occupation of the dwellings.

Reason: In the interests of highway safety, visual amenity, and of the environment of the development, in accordance with Saved Worthing Local Plan policies H18 and BE1 and TR9.

11. No dwelling shall be occupied until the means of vehicular access and the car park spaces have been constructed, surfaced, and laid out on the site with respective allocations demarked out and made available for dwellinghouse occupiers use in accordance with the approved drawings. The car parking facilities shall be retained for that purpose thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure adequate car parking is made and retained in the interests of meeting travel needs, avoiding overspill onto nearby streets and in the interest of visual amenity in accordance with Saved Worthing Local Plan policies TR9, H18 and BE1.

12. No dwelling hereby permitted shall be occupied unless the proposed vehicular/pedestrian/cycle modified access has been constructed and provided with visibility splays and sight lines in accordance with a scheme to be submitted to and approved in writing by the local planning authority, all to be permanently maintained to a specification to be agreed in writing with the local planning authority prior to occupation of the dwellings. The visibility splays and sight lines shall be kept permanently clear of any obstruction thereafter.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Saved Worthing Local Plan policies H18 and RES7.

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13. The dwellings hereby permitted shall not be occupied unless provision has been made within the site in accordance with details approved in writing by the local planning authority to prevent surface water discharging onto the public highway. The works shall be completed on site prior to the occupation of the dwellings and maintained as such thereafter to the satisfaction of the Local Planning Authority.

    Reason: In order that the development should not prejudice highway safety or cause inconvenience to other highway users and in the interests of visual amenity in accordance with Saved Worthing Local Plan policies TR9, H18 and BE1.

14. The dwellings hereby permitted shall not be occupied until the existing cross-over to the site has been stopped up permanently and obliterated, and the highway pavement made good to the satisfaction of the local planning authority.

    Reason: In order that the development should not prejudice highway safety or cause inconvenience to other highway users and in the interests of visual amenity in accordance with Saved Worthing Local Plan policies TR9, H18 and BE1.

15. No development shall commence unless a scheme for the external boundary and internal plot boundary treatments has been submitted to and approved in writing by the Local Planning Authority and the agreed scheme shall be completed on site prior to the occupation of the dwellings hereby permitted and maintained as such thereafter to the satisfaction of the local planning authority.

    Reason: In the interests of visual and neighbour amenity and of the environment of the development, in accordance with Saved Worthing Local Plan policies H18 and BE1.

16. The dwellings hereby permitted shall achieve Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

    Reason: To minimise carbon footprint of the development in the interest of minimising climate change and to exploit all reasonable opportunities offered by the development in accordance with Planning Policy Statement: Delivering Sustainable Development Climate Change Supplement.

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17. No dwelling hereby permitted shall be occupied until surface water drainage works, based on sustainable urban drainage principles, have been implemented in accordance with details first approved in writing by the local planning authority. No dwelling shall be occupied until all drainage works have been carried out and completed on site in accordance with the approved details and functionally maintained to a performance level to be agreed for that purpose thereafter to the satisfaction of the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained within a sustainable manner and to ensure the risk from and impact of any flooding is minimal, in accordance with PPS25: Development and Flood Risk and Planning Policy Statement 1: Delivering Sustainable Development: Climate Change Supplement.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in any of the walls of the dwellings and/or the entirety of the front elevations of dwellinghouse terrace (plots 1-5) hereby permitted without the prior permission of the Local planning authority on an application in that behalf

Reason: In the interest of visual amenity and to protect the amenities of adjoining residential properties.

19. The roof lights in the semi-detached dwellinghouses hereby permitted (plots 6-7) shall at all times be glazed with obscure glass and retained as such thereafter to the satisfaction of the local planning authority.

Reason: To protect the amenities and privacy of the occupiers of the neighbouring properties in accordance with Saved Worthing Local Plan policy H18.

20. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or as subsequently amended), the buildings hereby permitted shall not be extended or altered in any way and/or outbuildings be erected within their curtilage space unless permission is granted by the local planning authority in an application on that behalf. No part of the flat roofs of the buildings hereby permitted shall be used as a balcony or roof terrace without the prior written approval of the local planning authority.

Reason: In the interests of visual amenity and to safeguard the residential amenities of neighbours and future occupiers in accordance with Saved Worthing Local Plan policies H18 and BE1.

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21. No dwelling hereby permitted shall be occupied until the cycle parking facilities have been constructed out on site in accordance with the approved drawings and made available for dwellinghouse occupier use. The cycle parking facilities shall be retained for that purpose thereafter to the satisfaction of the Local Planning Authority.

Reason: To make available for future occupiers an alternative means of transport other than the motor car in accordance with PPG13: Transport.

22. No dwelling hereby permitted shall be occupied until household waste storage facilities have been provided on site in accordance with the approved drawings and made available for dwellinghouse occupiers use. The facilities shall be retained for that purpose thereafter to the satisfaction of the local planning authority.

Reason: In the interests of visual amenity, hygiene, and to safeguard the residential amenities of neighbours and future occupiers in accordance with Saved Worthing Local Plan policies H18 and BE1 and Planning Policy Statement 1: Delivering Sustainable Development.

23. No dwelling hereby permitted shall be occupied until specifications and details of the materials and finishes of the front boundary treatment has been approved in writing by the local planning authority and unless such treatment have been constructed out on site. Such treatment shall be retained as such thereafter to the satisfaction of the local planning authority.

Reason: In the interests of visual amenity and to safeguard the residential amenities of neighbours and future occupiers in accordance with Saved Worthing Local Plan policies H18 and BE1 and Planning Policy Statement 1: Delivering Sustainable Development.

24. No development shall commence unless a scheme for protecting the south, east, and west facades of all the dwellings hereby permitted from noise from the adjacent railway and vibration to the two semi-detached dwellings has been submitted to and approved in writing by the Local Planning Authority. All agreed works shall be completed out on site prior to occupation of any dwelling and retained and functionally maintained as such thereafter in strict accordance with the agreed manufacturers design details and performance specifications to the satisfaction of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers of the dwellings in accordance with Saved Worthing Local Plan Policy H18.

25. No security lighting or flood lighting shall be provided unless in accordance with details first submitted to and approved in writing by the local planning authority.

Reason: To safeguard the amenities of the future occupiers of the dwellings in accordance with Saved Worthing Local Plan policy H18.

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26. No development shall commence unless details of the proposed means of foul and surface water sewerage disposal have been approved in writing by the local planning authority. No dwelling shall be occupied until all approved drainage works have been carried out and completed on site. The works shall be maintained as such thereafter to the satisfaction of the local planning authority.

Reason: In the interests of safe disposal of sewerage and to ensure the risk from and impact of any flooding is minimal, in accordance with PPS25: Development and Flood Risk and Planning Policy Statement 1: Delivering Sustainable Development: Climate Change Supplement.

27. The development hereby permitted shall not be built out on site unless in strict conformity with the following approved drawings:

Drawing No. 4797/43 Rev A Titled Plots 6-7 Floor Plans & Elevations dated and deposited 19th May 2010;
Drawing No. 4797/42 Rev M Titled Plots 1-5 Sections & Elevations dated and deposited 2nd September 2010;
Drawing No 4797/41 Rev D Titled Plots 1-5 Floor Plans dated and deposited 8th July 2010; and
Drawing No 4797/40 Rev E Titled Site Layout dated and deposited 8th July 2010.

Reason: To ensure the quality of the development is maintained in the interest of proper planning and for the avoidance of doubt.

28. Notwithstanding the submitted drawings, no development shall commence until the following architectural details at a scale of 1:20 of have been approved in writing by the local planning authority:

a) porch canopy and bracket;
b) external windows and doors including reveal depth;
c) dormer window and roof light;
d) undercroft support bracket;
e) kick outs in render above openings, window sills, and expressed lintels;
f) caps on stone wall piers and bottom trim in render;
g) roof hips and ridges, eaves, bargeboards, and
h) rainwater goods and any external flues, metre boxes or other equipment associated with services.

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

Reason: In the interest of visual amenity to accord with Saved Worthing Local Plan policy BE1 and Planning Policy Statement 1: Delivering Sustainable Development.

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29. No dwelling hereby permitted shall be occupied unless a detailed scheme to remove the current parking restriction in front of the entirety of the length of the site along St. Dunstan's Road, modified as appropriate to maintain highway safety at the access to the development, has been submitted to and agreed in writing by the local planning authority. The agreed highway works shall be implemented and completed prior to the occupation of the dwellings.

    Reason: To ensure that full provision is made for parking in connection with the development and that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with Saved Worthing Local Plan Policies TR9, H18 and BE1.

INFORMATIVES

Reason for Approval

1. Previous planning permissions established a residential use of the site, which is in a sustainable location within the urban area. It has been successfully demonstrated the proposal meet the tests set out in Planning Policy Statement 3: Housing. This development would bring forward starter family homes where there is a recognised shortfall of this housing type in the town.

    The scheme is well designed, providing a contemporary approach to complement the surrounding area and to harmonise with the established character and appearance of the street. The impact on neighbours surrounding the site and the amenities of the local area more generally is likely to be modest, especially given the small increase in traffic generation. On this basis, the planning application was considered acceptable and granted conditional consent.

2. This permission is subject to the requirement for a development contribution of £2,857 towards improving local transport facilities payable on first occupation.

3. The applicant is advised that a contribution of £5,000 will cover the removal of the parking restriction.

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.