Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0476/FULL

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

Mark Folkes
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The Design Studio
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Steyning
West Sussex BN44 3RD

PROPOSAL: Demolitions, alterations, extensions and change of use of existing school building into 1 No. 5 bed dwelling and the construction of 1 No. 3 bed detached dwelling.

LOCATION : 101 Brighton Road Worthing

DATE REGISTERED 6th July 2010

APPLICANT : Leigh Property Investments Limited

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in plans 0909/1.11; 1.12; 1.13; 2.51/A; 2.52; 2.53/A; 2.54; 2.55; Arboricultural Impact Appraisal and Method Statement 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 5 years from the date of this permission.

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

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Dated: 24th September 2010

Executive Head of Planning,
Regeneration and Wellbeing

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: - 0909/1.11; 1.12; 1.13; 2.51/A; 2.52; 2.53/A; 2.54; 2.55; Arboricultural Impact Appraisal and Method Statement.

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

3. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the design, materials and appearance of the proposed screen walls/fencing and new boundary treatment to be erected on the western site boundary. Thereafter, the boundary treatment as agreed in writing shall be completed before the dwellings hereby permitted are occupied.

   Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

4. The dwellings shall not be occupied until the parking spaces shown on the submitted plan have been provided in accordance with construction and surfacing details to be submitted to and approved in writing by the Local Planning Authority. The area of land so provided shall not thereafter be used for any purpose other than access, turning and parking of vehicles incidental to the use of the proposed dwellings.

   Reason: To ensure adequate provision for parking clear of the highway and to comply with saved Policy TR9 of the Worthing Local Plan.

5. Secure, covered cycle storage 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 the site prior to the dwellings hereby approved being occupied and shall thereafter be retained for such purposes.

   Reason: To encourage and provide for a non car mode of transport to and from the site in accordance with PPG13.

6. 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 provide for:-

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(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 any security/safety hoarding;
(v) wheel washing facilities;
(vi) measures to control the emission of dust and dirt during construction;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and amenity.

7. 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:- (i) indications of all existing trees and hedgerows on the land, (ii) details of those to be retained, together with measures for their protection in the course of development, and (iii) details of any trees to be removed along with details of replacement and new tree planting. 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, and 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 visual amenity and the environment and to comply with saved Policy BE1of the Worthing Local Plan.

8. No development, including site works of any description, shall take place on the site unless and until all the existing trees to be retained on the site have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the local planning authority and shall include any proposal for pruning or other preventative works. Within the areas so protected 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 or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

Reason: To protect the trees from damage and to comply with saved Policy BE1of the Worthing Local Plan.

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9. No development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls and roofs (including ridge and hip tiles] of the new dwelling and the extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall only be carried out in accordance with the agreed materials.

   Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

10. The development hereby permitted shall not be carried out unless and until a specification detailing the materials, colour and external finishes, and a sample and/or drawing(s), and section(s) of the proposed windows (including the French windows and rooflight windows) in both the new build dwelling and those reinstated/inserted into the converted dwelling, at a scale not less than 1:5, detailing the dimensions/profiles/proportions of the frame(s) and glazing bars, the pattern of opening windows, the position of any trickle vents, the set back of the window from the external wall face; and the window sills have been submitted to and approved in writing by the local planning authority. Thereafter the windows shall only be carried out in accordance with the agreed details.

    Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

11. 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 having regard to saved Policy RES7 of the Worthing Local Plan.

12. The western-most ground and first-floor windows in the rear (north) elevation, and the first-floor window in the west side elevation of the new building dwelling hereby permitted shall at all times be glazed with obscured glass and shall be non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and shall not subsequently be altered in any way without the prior consent of the local planning authority.

    Reason: To prevent overlooking and to comply with saved Policy H18 of the Worthing Local Plan.

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13. The lowest edge of the rooflight windows on the west side roofslope of the new build dwelling hereby permitted shall be positioned not less than 1.7 metres above the floor of the room(s) in which the windows are installed.

Reason: To prevent overlooking and to comply with saved Policy H18 of the Worthing Local Plan.

14. Prior to the commencement of the development hereby permitted, a specification detailing the materials, colours and external finishes and drawing(s) and section(s) at a scale not less than 1:5 showing the detailed design and profile(s) of the rustication, banding, cornice treatment of the bay window, pilasters, framed borders around the windows, gable parapet wall, entrance door, and chimney on the new build dwelling; and the entrance door, and method of forming a flush threshold to the french windows in the front (south) elevation of the converted dwelling, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall only be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

15. The new build dwelling shall not be occupied unless and until a final Code Certificate from an accredited assessor has been submitted to and approved by the Local Planning Authority to certify that the development hereby permitted has been designed and built to achieve at least Level 3 of the Government's Sustainable Homes Code or any equivalent successor.

Reason: To ensure the development optimizes the potential for sustainable design and construction having regard to 'Planning and Climate Change: Supplement to PPS1'.

16. The development hereby permitted shall not be commenced unless and until details of the proposed 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.

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

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17. 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.

Reason: To safeguard against pollution and to comply with saved Worthing Local Plan policy RES9 and 'Planning and Pollution Control: PPS23'.

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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 and to comply with 'Planning and Pollution Control: PPS23'.

INFORMATIVES

Reasons for Approval

1. The site constitutes 'previously developed' land within the curtilage of the former Sandhurst School and the proposal would help meet a need for family houses identified in the Council's Strategic Housing Market Assessment (SHMA). The removal of the existing unsympathetic extensions are welcomed and the siting, scale, massing, architectural composition and traditional detailing of the proposed dwelling would enhance the setting and complement the historic character of this Local Interest Building, as well as enhancing the character and appearance of the Conservation Area. Careful consideration has been given to the representations received by the third parties. However, subject to the amendments sought and the safeguarding measures required as a condition of planning permission it is considered the proposed development can take place without adversely impacting on the residential amenities of the occupiers of neighbouring properties and without detracting from highway safety. It therefore does not conflict with saved Local Plan policies RES7, BE1, TR9, H18 or national planning policy contained in PPS:1, PPS:3, PPS:5 and PPG:13.

2. The applicant is advised to contact Hannah Powell, the Council's Environmental Health Technician (Contaminated Land) (Tel: 01903 221396) with regard to discharging conditions 17 and 18 of this permission.

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.