Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0928/FULL

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

Mr A King
Michael Cook Associates
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex BN12 4AP

PROPOSAL: Demolition of existing 39 bedspace nursing home and construction of new 65 bedspace nursing home together with associated communal and staff facilities, car and cycle parking and landscaping.

LOCATION : Land at 42 Shelley Road and 1 - 3 Tennyson Road Worthing

DATE REGISTERED 10th September 2008

APPLICANT : South Coast Nursing Homes

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 5224/LOC, 5224/001B, 5224/002, 5224/003, 5224/004, 5224/005, 5224/006/A, 5224/007/B, 5224/008/A, 5224/009A, 08014-02-T-E, LLD204/02 and LLD204/03 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 : 10th December 2008

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 replacement front boundary walls, and screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The replacement front boundary walls, and screen walls or fences as may be agreed shall be erected prior to first occupation of the development.

   Reason: In the interests of amenity.

3. The development hereby permitted shall not commence until details of the materials to be used for surfacing the car parking facilities and access drive have been submitted to and agreed in writing by the Local Planning Authority. The car parking and associated areas shall then be surfaced only in accordance with such details as may be agreed.

   Reason: In the interests of visual amenity and the environment.

4. The development hereby permitted shall not be occupied until the car parking and turning provision shown on the approved plans has been provided and constructed. Such provision shall thereafter be retained and shall be used only for the parking and manoeuvring of cars.

   Reason: To ensure that adequate provision is made for the parking and turning of vehicles clear of adjacent highways.

5. Secure 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 development. Such agreed facilities shall be provided on site prior to the development hereby approved being occupied.

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

6. The accesses to the site from Shelley Road and Tennyson Road shall be provided with visibility splays on each side of the access in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. No other work shall be carried out on the site until the above-mentioned splay areas have been provided. Thereafter, the said splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metre above the level of the adjoining carriageway.

   Reason: In the interests of highway safety.

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7. No construction work shall be carried out on the site unless and until there is made available within the site provision for parking for construction traffic and an appropriate turning area clear of the public highway. 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.

8. 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.

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.

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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 indications of all existing trees and hedgerows on the land, and details of any to be retained, together with details of supplementary tree and shrub planting to the site boundaries, including a semi-mature tree to replace the Wych Elm (preserved as T1 under Tree Preservation Order No. 17 of 1997), and a schedule for the phased replacement of the 4 purple-leaved plum trees adjacent to the southern boundary of 1-3 Tennyson Road (preserved as G1 under Tree Preservation Order No. 17 of 1997). 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.

12. No development, including demolition or site works of any description of any kind, 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 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 agreed as part of the tree protection plan 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 and samples of materials and finishes to be used for the external walls and roofs of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be completed fully in accordance with the agreed materials.

    Reason: In the interests of visual amenity.

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14. The development hereby permitted shall not commence unless and until detailed drawings at a scale not less than 1:20 showing the detailed design, materials and external finishes of the main entrance porch and doors, and imitation porches and windows to the replica villas, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

15. The development hereby permitted shall not commence unless and until detailed drawings (including sections) at a scale not less than 1:20 of the proposed decorative mouldings, window surrounds, corbels, dormers and chimneys of the replica villas have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

16. The windows of the replica villas on the frontages shall consist of vertical sliding sashes on 2 vertical planes carried out in accordance with detailed drawings which shall be submitted to and approved in writing by the Local Planning Authority, showing the thickness of the frames and pattern of external glazing bars, the window cills and heads, and the set-back of the window from the external wall face.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

17. No development shall commence unless and until details drawings showing the junction of the glazed link with the replica villas comprising the frontage buildings, and the junction with the rear 2-storey component of the building, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

18. Provision shall be made for combined aerial facilities to serve the development hereby permitted.

    Reason: In the interests of visual amenity.

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19. Before any of the dwellings hereby permitted are occupied, refuse/recycling enclosures shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development and the amenities of the area.

20. This permission relates to the amended plans submitted on 8th October 2008 and 25th November 2008 and not to the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

21. If during the course of the implementation of this approval, visible contaminated or odorous material is found to be present at the site:-

i) this shall be investigated by the developer at the earliest opportunity;
ii) the Local Planning Authority shall be informed by the developer of the nature and degree of the contamination present;
iii) a method statement shall be prepared by the developer detailing how the suspected contamination shall be dealt with and submitted to the Local Planning Authority;
iv) Construction works shall cease until such time as the method statement has been approved by the Local Planning Authority and the construction works shall not proceed other than in full accordance with any such approval.

Reason: The site may contain contaminated material and suitable remedial measures are required to mitigate any such danger to health.

22. Any external lighting or floodlighting of the development shall only be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

23. The development hereby permitted shall not commence unless and until details of the proposed surface water drainage and means of disposal designed to accord with BRE Digest 365 have been submitted to and approved in writing 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 may be approved by the Local Planning Authority.

Reason: To ensure that the development is satisfactorily and sustainably drained.

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24. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development and its construction have been submitted to and approved by the Local Planning Authority.

Such measures shall include energy efficiency in construction and use of building materials; the use of sunlight, daylight and natural air flows to provide heating and ventilation for the building; re-use and re-cycling of water and rainwater; composting of domestic food and garden waste and incorporation or utilisation of re-cycled building materials and excavated material and ecological restoration and enhancement of the site, including provision of bat and bird nesting boxes, as appropriate.

These measure shall also include a proportion of not less than 10% of the operational energy demand of the nursing home hereby permitted to be met or secured by decentralised and renewable and/or low carbon energy sources (e.g. biomass, ground source heating and cooling, solar thermal and photovoltaic generation, wind generation, waste heat that would otherwise be generated directly or indirectly from fossil fuel), as compared to the operational energy demand of the nursing home built without such measures in compliance with the prevailing Building Regulations standards. The development shall not be built or constructed other than in full accordance with any such approved measures and such approved measures shall be retained thereafter and maintained in accordance with the manufacturers instructions.

Reason: To maximise the opportunities for sustainable design in accordance with West Sussex Structure Plan policies DEV1 and ERA2 by improving the energy efficiency of the building and reducing demands on natural resources and waste generation and enhancing wildlife habitats in accordance with West Sussex Structure Plan policy ERA2 and Government guidance in PPS9: Bio-Diversity and Geological conservation; PPG22 Renewable Energy; and PPS10 Planning for Sustainable Waste Management.

25. No development shall commence until the submitted draft Green Travel Plan has been approved to the satisfaction of the Highway Authority, and in writing by the Local Planning Authority. Thereafter, the approved Green Travel Plan shall be carried out and implemented in accordance with the requirements of the Highway Authority's Business Travelwise Officer.

Reason: To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with PPS1 and PPG13.

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26. No development shall commence unless and until a method statement detailing the manner in which the rear detached office building adjoining the north site boundary with 7a and 7b Tennyson Road shall be dismantled and removed, and construction details of the proposed attached building hereby permitted, including measures to safeguard structural stability of the existing 5 metre high boundary wall, have been submitted to and approved in writing by the Local Planning Authority. The method statement and safeguarding measures shall thereafter be implemented as agreed.

    Reason: In the interest of residential and visual amenity and in order to safeguard the existing wall from collapse.

27. The number of resident bedspaces at the nursing home shall be no more than 65.

    Reason: In the interests of neighbour amenity and the environment.

28. The following windows shall be obscured glazed and fixed shut (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):-

    i) the ground and first-floor windows in the west side of the replica villa fronting Shelley Road;
    ii) the ground and first-floor windows in the north and south sides of the replica villa fronting Tennyson Road;
    iii) the three first floor windows (serving the quiet lounge) in the north elevation of the building (and glazed link) facing the south side of No. 5 Tennyson Road; and
    iv) the first floor window (serving an assisted bathroom) in the east side of the building facing the rear (west) of No. 7 Tennyson Road.

    Thereafter, the windows shall not subsequently be altered in anyway 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.

29. Prior to commencement of development, details of signage and/or internal road markings delineating the one-way system for vehicular traffic through the site, and highlighting the one-way system within the public highway for those existing the site onto Tennyson Road, shall be approved to the satisfaction of the Highway Authority and in writing by the Local Planning Authority.

    Reason: In the interests of highway safety.

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30. No development shall be commenced until an appropriate wheel washing facility located adjacent to the construction site entrance has been provided in accordance with details approved by the Local Planning Authority.

Reason: In the interests of highway safety.

INFORMATIVES

1. With regard to the requirements of condition 19 the applicant is advised to contact the Council's Waste Strategy Manager, Paul Willis at Adur and Worthing Services, Commerce Way, Lancing BN15 8TA (Tel:- 01273 263052).

2. With regard to the requirements of condition 25 the applicant is advised to contact the Business Travelwise Officer (West Sussex County Council), Andy Mouland (Tel:- 01243 642105).

3. The applicant is advised to acquire the appropriate licence to allow works within the public highway from West Sussex County Council as Highway Authority, to cover the site access road junction works. The applicant is requested to contact the Area Engineers Office, Southern Area, Clapham Common, Clapham, Worthing, BN13 3UR (Tel:- 01243 642105).

4. 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

5. Detailed design of the proposed drainage system should take into account the possibility of the surcharging within the public sewerage system in order to protect the development from flooding.

6. Reason for Approval

The proposed development is within the built-up area and would help meet the need for modern nursing home accommodation without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety.

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:

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Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H18 - Amenity of Residents
RES12 - Provision of Infrastructure
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
CH4 - Conservation areas and historic towns and villages
DEV1 - High Quality Development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA1 - Making the best use of land
ERA2 - Nature Conservation
LOC1 - Locational strategy

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.