Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0753/FULL

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

Miss Katharine Morgan
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North Street
Chichester
Sussex PO19 1LY

PROPOSAL: Conversion of two villas from former residential care home to ten flats including demolition of extensions (and associated structural alterations); and erection of mews development comprising three terraced properties and one detached house, with associated landscaping and parking.

LOCATION : Arundel Court Nursing Home, 6 & 8 Mill Road, Worthing

DATE REGISTERED 1st November 2010

APPLICANT : Mr Jaddoo

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the approved plans 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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[redacted]

Dated : 14th December 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 except as where specified in any other condition attached to this permission.

21008/101-A
21008/102-A
21008/103-A
21008/104-A
21008/105-A
21008/300-B
21008/301-D
21008/302-B
21008/303-C
21008/304-D-
21008/305-E
21008/306-C
21008/307-D
2010/127/001-A
2010/127/002-A
2010/127/003-A
2010/127/004-A
Tree Constraints Plan
Tree Protection and Retention Plan
Initial Arboriculturalist's Report
Stage 1 Road Safety Report/ Designers' Response

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

Pre-commencement conditions

3. Notwithstanding the submitted drawings, the development shall not commence unless and until architectural details of the new development (including alterations) have been submitted to and approved by the Local Planning Authority. These shall include details of:-

a) Porches
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 and rafters
h) window arches
i) rainwater goods, external metre boxes, flues and cables associated with utilities.
k) bays, cornices, string courses and parapets

For avoidance of doubt, the design of the windows to the mews cottages is not approved.

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

Reason: In the interest of visual amenity, in particular the design of the windows to the mews cottages is unsympathetic. This is to accord with Saved Worthing Local Plan policy BE1 and Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing and PPS5: Protecting the Historical Environment (see also condition).

4. Notwithstanding the submitted drawings, no development shall commence unless and until details of the proposed means of surface water drainage and disposal using appropriate sustainable urban drainage measures have been submitted to, and approved in writing by, the Local Planning Authority. The development shall not be built other than in accordance with any such approval

Reason: To minimise the pressure on existing sewers and allied infrastructure; to help replenish the aquifers and to prevent flooding in accordance with South East Plan policy NRM4 and PPS25:Development and Flood Risk.

5 Notwithstanding the submitted drawings, no development shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping and for the provision of amenity space and external and internal boundary treatment.

This shall retain and protect all existing trees and hedgerows on the land shown as such in the approved plans and Tree Retention and Protection Plan and Arboriculturalist's report and B.S. 5837 2005 and any subsequent amendment.

It shall also include details of

a) the delineation of the curtilage space for private gardens, in particular the redesignation of part of the garden space adjacent to the eastern bedroom of the ground floor two bed flat in No. 8 for use by this flat.
b) supplementary planting to the boundaries of the site and within the areas and internal courtyards.

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 and boundary treatments shall be provided prior to the first occupation of any dwelling in the development hereby permitted.

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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 and PPS5: Protecting the Historical Environment.

6. Notwithstanding the submitted plans, no development shall commence unless and until details of the design of the roof terraces and allied alterations have been submitted to and approved by the Local Planning Authority. The details shall include parapet and integral planter height and design; delineation of roof terrace areas and measures for reducing the internal roof and ceiling heights of the flats beneath and allied alterations to windows necessary to lower the roof terrace and prevent overlooking from the roof terrace and reduce the height and dominance of the parapets. The development shall not be built other than in accordance with any such approval and the approved arrangements shall be retained thereafter.

Reason: to prevent unacceptable overlooking from the roof terraces to adjacent and other occupiers' dwellings and gardens, whilst achieving an acceptable quality of design for the extension to the villas in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and PPS5: Protecting the Historical Environment.

7. Notwithstanding the submitted drawings, 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 roof 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 in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement 1: Delivering Sustainable Development and PPS5: Protecting the Historical Environment.

8. No development shall take place unless and until a scheme for the suppression of dust during demolition and construction and wheel washing of construction vehicles has been submitted to and agreed in writing by the Local Planning Authority, in accordance with BRE: Control of dust from construction and demolition activities: BRE465, as appropriate. 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.

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9. 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.

10. 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.

Pre-occupation conditions

11, No flat shall be occupied unless and until a scheme for the provision of combined aerial facilities or cable to serve all flats within the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with any such approval.

Reason: In the interests of visual amenity to accord with Saved Worthing Local Plan policy BE1 and Planning Policy Statement 3: Housing and PPS5: Protecting the Historical Environment.

12. Notwithstanding the submitted drawings, no dwelling shall be occupied unless and until details and the siting of refuse, recycling and domestic composting facilities for the dwellings has been submitted to and approved by the Local Planning Authority and the development shall not be built other than in accordance with any such approval.

Reason: In the interests of hygiene and visual amenity and to minimize land fill in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and Planning Policy Statement 3: Housing and PPS5: Protecting the Historical Environment.

13. Notwithstanding the submitted plans, no flat shall be occupied unless and until details and the siting of the cycle stores for the flats has been submitted to and approved by the Local Planning Authority and the development shall not be built other than in accordance with any such approval.

Reason: To encourage use of this healthy and sustainable mode as an alternative to the motor car and to meet travel demand in a neighbourly, sympathetic and convenient fashion in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and PPG13: Transport and PPS5: Protecting the Historical Environment.

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14. No house (mews cottages and gatehouse) shall be occupied unless and until a suitable certificate from an accredited assessor has been received by the Local Planning Authority to demonstrate the development has 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.

15. No dwelling shall be occupied unless and until the car parking spaces shown on the approved plans have been provided and constructed, subject to compliance with landscaping Condition 5. The parking facilities so provided shall not thereafter be used for any purpose other than the parking of vehicles and no other part of the hard surfaced areas in the development shall be used for the parking of motor vehicles.

Reason: To ensure that adequate provision is made for parking vehicles clear of the highway whilst preventing inconsiderate and unsightly parking in the circulation and amenity areas, for the benefit of future occupiers and efficient and safe access in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and PPG13 Transport, PPS5: Protecting the Historical Environment and Planning Policy Statement 3: Housing.

16. No dwelling hereby approved shall be occupied unless and until the vehicular and pedestrian accesses from the site to the public highway and allied visibility splays and sightlines has been provided in accordance with the approved plans, subject to necessary revisions to comply with the Recommendations of Stage 1 Road Safety Audit and any allied approved Exceptions Report, or any such variant as agreed in writing in advance with the Local Planning Authority. This shall include repair of the footway slabs at the Mill Road crossover set out in 3.3 of the Recommendations of the Stage 1 Road Safety Audit. Any required highway works resulting from any subsequent Stage 2 and 3 Road Safety Audits shall be implemented at the earliest opportunity and in no case later than 3 months after the appropriate authority has been consented by the Highway Authority.

In all of the above, the approved arrangements shall be maintained thereafter.

Reason: In the interests of highway safety, PPG13:Transport, Manual For Streets and Planning Policy Statement 3: Housing. See also informative 4 below.

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Regulatory conditions

17. 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: To ensure that any ground contamination is detected and properly remediated in the interests of amenity and the environment in accordance with Saved Worthing Local Plan policies H18 and RES7.

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 in the in upper floor or roof in west, south or north elevations of mew cottages or west, north or south elevation of the gatehouse without the prior permission of the Local Planning Authority in an application on that behalf.

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

19. The upper section of rear (west) first floor and dormers windows of mews cottages and rear (west) first and second floor windows of the gatehouse shall be obscure glazed and the opening mechanism restricted to thirty degrees. The said windows 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 and future occupiers of the approved redevelopment (WB/06/1344/FULL) at 10 and 10A Mill Road and the development hereby approved in accordance with Saved Worthing Local Plan policy H18.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the houses (mews cottages and gatehouse) shall not be extended or altered in any way nor outbuildings erected unless permission is granted by the Local Planning Authority in an application on that behalf.

Reason: In the interests of visual and neighbour amenity in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7.

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21 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 Monday to Friday and 9.00 a.m to 12 midday Saturday.

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

22. No external lighting or floodlighting shall be installed or used without the prior approval of the Local Planning Authority in an application on that behalf.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7.

INFORMATIVES

1. Reasons for Approval

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, RES12, BE1, TR9 and H18

South East Plan 2009

SP3; CC1; CC2; CC3; CC5; CC6; CC7; CC8; H1; H4; H5; H6; T1; T2; BE1; BE6; SCT1; and SCT5

and to all relevant material considerations, including:

- National Policy Government Policy in Planning Policy Statement 1: Delivering Sustainable Development: PPS3: Housing; PPS5: Protecting the Historical Environment; PPS25: Development and Flood Risk and Planning Policy Statement 1: and Delivering Sustainable Development: Climate Change Supplement.

- and all representations and consultation responses received.

In reaching its decision the Council concluded that the loss of a care home is acceptable in view of the circumstances and absence of any protective policy. The principle of residential conversion and development is also supportable in this sustainable location and the scheme makes efficient use of land and will meet a recognised housing demand. In heritage terms, the demolition of the post war unsympathetic extensions and return of the villas to positive use are welcomed and

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the conversion, refurbishment and extensions are generally sympathetic. The new houses respect the setting and character of the existing villas and townscape of the Conservation Area, whilst positively contributing to a sense of place and incorporate suitable sustainable features. The proposal is sensitive to the amenity of neighbouring development and removes safeguards important trees, as well as providing a good quality of environment for future occupiers. Access and parking arrangements are generally satisfactory. Subject to the conditions imposed to control the detail of the development, and ensure its quality and prevent harm to future or nearby occupiers and the environment and the unilateral undertaking to secure the required development contributions, the proposal is acceptable.

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.

2. The permission is the subject of a unilateral undertaking which covenants the developers/owners to pay the following sums on first occupation of any dwelling :

Education -	First School:	£8,509
	Middle:	£9,587
	Secondary:	£12,822
Fire and Rescue:		£278
Total Access Demand (transport):		£13, 680
Outdoor recreation :		£20,063

These are required to upgrade local education, outdoor recreation, fire and rescue and transport facilities to accommodate the additional pressure on facilities caused by the proposal and to secure sustainable design.

3. The Highway Authority (West Sussex County Council) advises as follows:

The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority's Area Engineer before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

Design standards for the layout and construction of access roads and junctions shall be in accordance with the requirements of the County Highway Authority. The applicant may be required to enter into an agreement under Section 278 of the Highways Act 1980 to enable construction of the accesses to take place."