Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1424/FULL

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

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

PROPOSAL: Amendment to approval WB/05/0867/FULL to amend 6 No. two bedroom flats to provide 2 No. two bedroom flats and 4 No. one bedroom flats, to amend the mix of residential units to 20 social rent, 11 intermediate rent and 20 shared ownership and to revise the elevations to suit the amended residential layouts.

LOCATION : Land junction of Chapel Road and Newland Road Worthing

DATE REGISTERED 23rd January 2008

APPLICANT : 3 H LLP

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Design and Access Statement 4737/001, and Drawing Nos. 4734/050, 051, 052, 053, 054 and 055 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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Dated : 12th September 2008

Executive Head of Planning,
Regeneration and Wellbeing

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

2. No flat or retail floorspace hereby approved shall be occupied until the 22 parking spaces shown on the approved plans have been provided and constructed. The parking spaces so provided shall not thereafter be used for any purpose other than the parking of vehicles. 13 of the spaces shall be retained at all times for residents parking and 9 spaces shall be provided for use in association with the ground floor retail use.

   Reason: To ensure that adequate provision is made for both residential and commercial parking clear of the highway.

3. The development hereby permitted shall not commence until details of the materials to be used for surfacing the car parking facilities and manoeuvring areas 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.

4. No part of the development shall be occupied unless and until the crossing between the boundary of the site and the adjoining carriageway has 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.

5. No part of the development shall be occupied unless and until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for the turning of vehicles clear of the public highway. Such space as may be agreed shall not thereafter be used for any purpose other than as a turning area.

   Reason: In the interests of highway safety.

6. The access from the site to the public highway shall be designed, laid out and constructed with visibility splays and sight lines in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any building or use authorised by this permission is commenced.

   Reason: In the interests of highway safety.

7. The development shall not commence unless and until provision has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority to prevent surface water discharging onto the public highway.
   Reason: In the interests of highway safety.

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8. No part of the development shall be occupied unless and until all existing access(es) to the site (other than the access hereby approved) have been stopped up permanently and obliterated in accordance with plans to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

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 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. The retail premises shall not be open for trade or business except between the hours of 8.00 am - 10.00 pm Mondays to Saturdays and 10.00 am - 6.00 pm on Sundays and on Bank or Public Holidays and delivery of goods shall only occur between the hours of 8.00 am and 6.00 pm Mondays to Saturdays inclusive.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties and to reduce the conflict between deliveries and residential parking and access.

12. The development hereby permitted shall not commence unless and until a schedule of materials and finishes to be used for the external walls, roof, doors and windows of the building 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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13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or as subsequently amended), the elevations of the building hereby permitted shall not be painted other than in a colour as may be submitted to and agreed in writing by the Local Planning Authority. The colour shall not thereafter be changed without the written agreement of the Local Planning Authority.

Reason: In the interests of visual amenity.

14. The development hereby permitted shall not commence unless and until a scheme for protecting the proposed dwellings from noise from road traffic and the ground floor commercial use has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme as may be agreed shall be completed before any flat is occupied.

Reason: To safeguard the amenities of the occupiers of the flats.

15. Notwithstanding the provisions of the Town and Country Planning Act 1990 General Permitted Development Order 1995 as amended, no TV satellite dish shall be mounted on any part of the building other than a single aerial providing combined facilities for the flats hereby permitted which shall be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

16. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal 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 proposed development is satisfactorily drained.

17. The development shall not be commenced unless and until precise details of the finished floor levels and existing/proposed ground levels in relation to a nearby datum point have been submitted to and approved by the Local Planning Authority and the development shall not be built other than in full accordance with any such approval.

Reason: In the interests of visual and neighbour amenity.

18. Notwithstanding the approved drawings, prior to commencement precise details of the fenestration, doors and porch canopies shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and because insufficient details have been submitted with the application for the Local Planning Authority to be satisfied that the development would be implemented to an acceptable design standard appropriate to the prominent location.

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19. The precise details of the shopfronts hereby approved shall be submitted and agreed in writing with the Local Planning Authority. The agreed shopfronts shall be fitted before the retail premises or any of the flats are occupied.

Reason: To ensure that the development is completed to the satisfaction of the Local Planning Authority in the interests of visual amenity.

20. Prior to any occupation of the development gates shall be erected for vehicles and pedestrians along the access road in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To provide security for the development.

21. Prior to any occupation of the development details of refuse storage and recycling facilities to be submitted to and agreed in writing by the Local Planning Authority and implemented accordingly.

Reason: To ensure that appropriate facilities are provided for the removal of waste from the site.

22. Prior to any occupation of the development provision and details of cycle storage to be submitted to and agreed in writing by the Local Planning Authority and implemented accordingly.

Reason: To ensure that sustainable transport facilities are provided within the development.

23. The development hereby permitted shall not be commenced until the following measures have been undertaken:-

(i) the submission of a scheme for the investigation of potential ground contamination;

(ii) the approval of the scheme referred to in (i) above by the Local Planning Authority;

(iii) the completion of a site investigation in accordance with any scheme as may be agreed;

(iv) the submission to and written approval by the Local Planning Authority of the results of any such investigation;

(v) the submission to and written approval by the Local Planning Authority of a detailed action plan for remediation of the site;

(vi) the full implementation of the agreed action plan on the site to the satisfaction of the Local Planning Authority.

Reason: To ensure that any ground contamination is properly remediated in the interests of amenity and the environment.

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INFORMATIVES

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

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

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
DEV1 - High Quality Development
DEV3 - Infrastructure requirements
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA1 - Making the best use of land
NE1 - Level of residential and employment development
NE2 - Housing provision
NE3 - Housing provision
NE4 - Managing the release of housing land
NE11 - Community facilities and services
NE12 - Leisure, cultural and tourism facilities
NE13 - Transport
NE14 - Walking, cycling and mobility
NE17 - Roads

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.