Worthing Borough Council

Planning, Regeneration and Wellbeing

Mr Ian Woodward-Court
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Horsham
West Sussex
GI52 6SE

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

APPLICATION NUMBER: WB/11/0047/FULL

Details of Development
ERECTION OF A SINGLE STOREY EXTENSION TO PROVIDE A DIAGNOSTIC CLINIC AND HYDROTHERAPY UNIT.

Location of Development
UNITED REFORMED CHURCH SHELLEY ROAD WORTHING WEST SUSSEX BN11 1TT

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 30th March 2011.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

[redacted]

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
25/07/2011

Worthing Borough Council

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SCHEDULE

Reasons for Granting Permission

01. The proposed development which involves the redevelopment of an existing community use within a sustainable location is supported in principle by Core Strategy policy 11. At present, the rear of the dwellings in Chandos Road and Buckingham Road which back onto the redundant sectional building are relatively quiet and private, shielded from noise and activity associated with the nearby town centres uses which characterises the 'street side' of these properties. To some extent this is indicative of the fact that the former Church and ancillary building have been vacant for a number of years. This aside, the proposed development would give rise to a greater intensity of use and activity than the former low-key use of the existing sectional building. However, it is considered that the potentially disturbing effects of the proposed development can be satisfactorily dealt with by imposing suitable conditions. This course of action being consistent with the advice sets out in Circular 11/95 which identifies the proper use of conditions as enabling development to proceed where it would otherwise have been necessary to refuse planning permission. Notwithstanding the limited amount of on-site parking, which would be shared with the proposed health centre, having regard to the lawful use of the latter, the Committee resolved that there would be no adverse implications for highway safety such as would substantiate refusal of this modest scale of development on highway grounds. As such, the proposed development would not conflict with Worthing Core Strategy Policies 11, 12 and 16, saved Worthing Local Plan Policies RES7, TR9 and H18 and South East Plan Policies CC1, CC6, T4, BE1, S2 and S6.

Conditions

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

02. 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:-

10.030/01 Revision A
10.030/02 Revision B
10.030/03 Revision E
10.030/04 Revision C

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

03. No development shall take place until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until such boundary treatments as have been agreed have been erected.

Reason: *In the interests of amenity and to comply with Policy 16 of the Worthing Core Strategy and saved Policy H18 of the Worthing Local Plan.*

04. The use shall not be carried on until the parking spaces (including the disabled bay) shown on the approved drawing have been laid out and the areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles incidental to the use of the former United Reformed Church within Class D1 of the Town & Country Planning Use Classes Order, including the diagnostic and hydrotherapy unit hereby permitted.

Reason: *In the interests of highway safety and having regard to PPG13 and saved Policy TR9 of the Worthing Local Plan.*

05. The use hereby permitted shall not be carried on until provision for cycle parking has been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall thereafter be used only for parking of cycles incidental to the use of the former United Reformed Church premises within Class D1 of the Town & Country Planning Use Classes Order, including the diagnostic and hydrotherapy unit hereby permitted.

Reason: *To encourage and promote alternative travel options and to ensure the delivery of sustainable development in accordance with PPS:1 and PPG13.*

06. The premises shall be used only as a diagnostic and hydrotherapy unit and only in conjunction with and ancillary to the use of the former United Reformed Church for purposes within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *In the interests of amenity having regard to saved Policy H18 of the Worthing Local Plan.*

07. No collections from, or deliveries to the diagnostic and hydrotherapy unit hereby permitted shall take place before 07.30 hrs or after 18.00 hrs Monday to Friday, or before 07.30 hrs or after 13.00 hrs on Saturdays. There shall be no collections from, or deliveries to the diagnostic and hydrotherapy unit on Sundays or Public Holidays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policies RES7 and H18 of the Worthing Local Plan.*

08. The use of the building hereby permitted shall not take place other than between the hours of 08.00 and 18.00 hrs on Mondays to Fridays (inclusive), 08.00 and 13.00 hrs on Saturdays and not at all on Sundays or on Public Holidays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policies RES7 and H18 of the Worthing Local Plan.*

09. Prior to the commencement of the development, an acoustic assessment of the plant and equipment the subject of this application and specifically within the 'plant room' shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall have regard to the principles of BS4142:1997 and achieve a difference between the rating level and background noise level of at least -5dB. Thereafter the development shall be carried out in accordance with the approved acoustic assessment and within one month of implementation a test shall be carried out and the result submitted to the Local Planning Authority to demonstrate that the attenuation measures specified in the agreed scheme are effective and achieve the levels specified within the scheme. In the event that the specified noise levels have not been achieved, then notwithstanding the installation of the plant/equipment hereby approved a further scheme of attenuation works capable of achieving the levels as specified shall be installed within 3 months of the installation of the plant/equipment and thereafter retained.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policies RES7 and H18 of the Worthing Local Plan.*

10. No roof plant or other externally-sited plant or machinery (including air conditioning/handling equipment) shall be installed on the building without the permission of the local planning authority in an application on that behalf.

Reason: *In the interests of amenity and the environment having regard to saved Policy H18 of the Worthing Local Plan.*

11. No development of any kind (including site clearance and demolition) shall take place unless and until a scheme for the protection of the neighbouring properties from dust during demolition/site clearance and construction has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented and adhered to at all times throughout the entire course of demolition/site clearance and construction works on the site.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policy RES7 of the Worthing Local Plan.*

12. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On all other days such work shall only be undertaken between the hours of 08.00 and 18.00 hrs on Monday to Friday (inclusive) and 08.00 and 13.00 hrs on Saturdays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved Policy RES7 of the Worthing Local Plan.*

13. No external lighting or floodlighting shall be installed except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with saved Policy RES7 of the Worthing Local Plan.*

14. 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 soft and hard landscaping, which shall include details of shrub and hedge planting on the south side of the building. 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. The approved details of hard landscaping shall be completed prior to occupation of the building(s).

Reason: *In the interests of visual amenity and the environment and to comply with Policy 16 of the Worthing Core Strategy.*

15. No development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows and doors) and roofs of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule/samples.

Reason: *In the interests of visual amenity and to comply with Policy 16 of the Worthing Core Strategy.*

16. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

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

17. No development shall be commenced until a scheme for the provision of surface water drainage works in accordance with BRE Digest 365 has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include soakage trial pit test results and calculations for the Soil Infiltration Rate; evidence of the local groundwater level at the site and design calculations for each different type and size of soakaway to prove sufficient capacity. Thereafter the approved drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.

Reason: *To avoid the risk of localised flooding and to ensure that the proposed development is adequately drained.*