Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0281/FULL

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

Mr C Barker
DMH Stallard
100 Queens Road
Brighton
East Sussex
BN1 3YB

PROPOSAL: Proposed demolition of Beach Hotel and erection of mixed use development comprising 76 bedroom hotel, restaurant and spa facilities and 49 residential apartments together with undercroft car parking for 96 cars and secure cycle storage.

LOCATION : The Beach Hotel 123 Marine Parade Worthing

DATE REGISTERED 26th April 2010

APPLICANT : Roffey Homes Limited

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 : 1st April 2011

Executive Head of Planning,
Regeneration and Wellbeing

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

2. The external elevations of the hotel, restaurant and residential development hereby permitted shall be completed fully in accordance with the details and finishes approved on the following drawings and details agreed under the provisions of condition 4:-

Drawing Nos. D001, D002, D101, D102, D103, D104, D010 Rev. F, D011 Rev. H, D012 Rev. H, D013 Rev. H, D014 Rev. F, D015 Rev. E, D016 Rev. F, D017 Rev. F, D018 Rev. F, D019 Rev. E, D 021 Rev. D, D022 Rev. D, D023 Rev. B, D024 Rev. C, D025, D026, D027, D028 Rev. B, D029, D030, D031 Rev. A, D032 Rev. B, D033 Rev. B, D034 Rev. A, D035, D200 Rev. A, D201 Rev. A and D202 Rev. A.

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

3. The construction of the external fabric of the hotel, restaurant and residential apartments (excluding the residential apartments fronting Brunswick Road) shall be constructed together and sufficiently completed to protect the appearance of the conservation area.

Reason: To ensure that externally the whole building is completed sufficiently to justify the residential development on the site in addition to the replacement hotel and to not detract from the character and appearance of the conservation area.

4. No construction works associated with the following specific elements of the development hereby permitted shall occur until detailed drawings (at a minimum scale of 1:10) and specifications of the following have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out strictly in accordance with the approved details:

i) Main entrances, external doors and windows including curtain walling:
ii) Balconies and roof terraces including parapets, balustrades and handrails;
iii) Roof coverings, eaves and soffits plus drip lines to south, east and west elevations;
iv) Expansion joints to all elevations;
v) External rainwater goods, external vents, flues, meter boxes and other external fittings associated with services to the buildings;
vi) External ventilation details to the basement car park;
vii) Integrated externally exposed lighting.

Reason: Insufficient detail was submitted with the application to ensure that the development achieves the standard of design to justify the loss of the local interest building and to be appropriate for this prominent and sensitive site within the Marine Parade and Hinterland Conservation Area.

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5. 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 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: Insufficient detail was submitted with the application to ensure that the development achieves the standard of design to justify the loss of the local interest building and to be appropriate for this prominent and sensitive site within the Marine Parade and Hinterland Conservation Area.

6. No dwelling shall 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'.

7. Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall not be occupied unless and until a BREEAM Design State Certificate and a Building Research Establishment – Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Good' has been submitted to and approved in writing by the Local Planning Authority.

   Reason: To ensure that the whole development is sustainable and makes efficient use of energy, water and materials having regard to Planning and Climate Change : Supplement to PPS1.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no external aerials or satellite dishes or associated fittings or equipment shall be installed other than as a single communal facility for the apartments and as a single facility for the hotel within the development hereby permitted. The installation of such facilities shall be in accordance with details submitted to and approved in writing by the Local Planning Authority.

   Reason: To preserve the design integrity of the approved building and to avoid any adverse impact upon the character and appearance of the conservation area.

9. No part of the roofs of the building shall be used as balconies or roof terraces, except for those parts identified as such on the approved drawings, without the prior written approval of the Local Planning Authority.

   Reason: To protect the residential amenities of the area.

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10. No development shall take place until details of boundary walls and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be occupied until such walls or means of enclosure have been erected.

    Reason: To protect the residential amenities of the area, the character and appearance of the conservation area and to ensure that the development is secure.

11. All external lighting shall only be installed in accordance with details submitted to and approved in writing by the Local Planning Authority.

    Reason: To control the appearance of the building and to protect the residential and visual amenities of the conservation area.

12. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including recycling materials, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: To ensure satisfactory facilities for the storage and disposal of refuse in the interests of hygiene and visual amenity and to minimise land fill having regard to saved Policy BE1 of the Worthing Local Plan and Policies W1 and W3 of the South East Plan.

13. Secure covered cycle parking and storage shall be provided within the curtilage of the site, in accordance with the approved plans prior to the occupation of the buildings.

    Reason: To encourage and provide a more sustainable mode of transport to and from the site in accordance with South East Plan Policy T1 and PPG13.

14. The building shall not be occupied until the parking spaces and access facilities shown on the approved plans have been provided. The approved parking areas so provided shall not thereafter be used for any purpose other than parking of vehicles in association with the approved use of the premises.

    Reason: To ensure that an appropriate provision of onsite car parking is available for the approved uses.

15. The access from the site to the public highway shall be designed, laid out and constructed with kerb radii, 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 other operation or use authorised by this permission is commenced. Thereafter such visibility splays and sight lines shall be kept clear of any obstruction.

    Reason: In the interests of highway safety.

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16. The use hereby permitted shall not be carried on until the existing access to the site has been stopped up permanently and obliterated (including any necessary highway kerbing, footway or verge reinstatement) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

17. No works shall commence until such time as the Design/Check Certification and Construction Compliance Certification, completed in accordance with BD2/05 annex C1 and annex C6 of the Design Manual for roads and bridges, have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council.

Reason: To ensure that the proposed retaining wall is constructed to the required standard to safeguard the users of the public highway.

18. No part of the development shall be occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority and the WSCC Draft Travel Plan Policy. For clarity the Travel Plan Statement shall be prepared to cover both the hotel and residential uses.

Reason: To encourage and promote sustainable transport amongst staff and visitors to the hotel and amongst residents in accordance with South East Plan Policy T1 and PPG13.

19. The hotel restaurant and bar shall only be open to the public (unless they are customers who are staying at the hotel) between the hours of 0700 hours – 2400 hours on any day.

Reason: To protect the residential amenities of the area from late night noise and activity.

20. The hotel, restaurant and kitchen uses hereby permitted shall not operate unless and until full details of the means of extraction and disposal of cooking odours from the restaurant and kitchen (including details of extract fans, filters, internally located fan units and ducting together with a method of noise abatement, as well as details of grease traps and extraction hoods) and of any other equipment which requires external machinery, have been submitted to and approved in writing by the Local Planning Authority. The equipment so approved shall be installed before the restaurant and kitchen are operational and shall thereafter be operated and maintained in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of the area.

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21. No roof plant or other externally sited plant or machinery (including air conditioning and handling equipment) shall be installed within the site without the written approval of the Local Planning Authority.

Reason: To protect the amenities of the residents in the area and to comply with saved Policies BE1 and H18 of the Worthing Local Plan.

22. No deliveries shall be received by the hotel or despatched from the site except between the hours of 0900 hours – 1900 hours on any day.

Reason: To protect the amenities of the residents in the area and to comply with saved Policies BE1 and H18 of the Worthing Local Plan.

23. The residential development hereby permitted shall not be occupied until hard and soft landscaping has been implemented in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. In the event that any such trees or shrubs die or become seriously damaged or diseased within a period of 5 years following planting they 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 building.

Reason: To ensure that adequate amenity space of an appropriate standard is provided for the residents.

24. No work for the demolition of the existing buildings or for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 0800 hours - 1800 hours Mondays to Fridays and 0800 hours - 1300 hours on Saturdays and not at all on Sundays or on Bank or Public Holidays. Only days when there will be a large concrete slab pour shall the hours be extended from 0700 hours - 2000 hours to allow the contractor to set up, prepare and protect the concrete both before and after the pour. The contractor shall notify the Local Planning Authority and local residents in writing at least three days before the pour day.

Reason: To safeguard the residential amenities of the area.

25. The development hereby permitted shall not be commenced 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. The building shall not 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 adequate drainage is provided in the interests of avoiding localised flooding and to form a sustainable development having regard to 'Development and Flood Risk', PPS25 and 'Planning and Climate Change : Supplement to PPS1'.

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26. 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 (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 ensure that any ground contamination is properly remediated in the interests of amenity and the environment.

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27. 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'.

28. 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 entire construction period. The Statement shall provide details of the following matters:-

(i) the parking of vehicles by site operatives and visitors;
(ii) the loading and unloading of plant, materials and waste;
(iii) the recycling, removal and disposal of waste materials including an agreed traffic route for the waste vehicles;
(iv) the storage of plant and materials used in construction of the development;
(v) the erection and maintenance of security hoarding;
(vi) the erection of site offices and ancillary buildings;
(vii) the provision of wheel washing facilities;
(viii) the measures to control the emission of dust and dirt during demolition and construction;
(ix) lighting for construction and security.

Reason: In the interests of highway safety and the amenities of the area.

29. The buildings hereby approved shall not be occupied unless or until they have been flood proofed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the building is appropriately flood proofed from rising sea levels and tidal water.

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WB/10/0281/FULL

INFORMATIVES

Reason for approval

1. It was considered that the existing building, whilst identified as being of local interest, has no strong architectural merit and makes no great contribution to the character of the Seafront and Hinterland Conservation Area such that its demolition should be resisted subject to the satisfactory implementation of the current design for the approved development.

   The approved building is designed as two parts with a linking tower and, whilst the overall height of the building would be generally in excess of its neighbours and the prevailing height of other seafront buildings, subject to careful detailing and handling of the upper floors above parapet level, it is considered that the extra height would not be so harmful in terms of the streetscene and the relationship with neighbouring buildings such that permission should be withheld.

   In terms of the impact of the building upon the amenities of local residents in Brunswick Road and Thorn Road, particularly in relation to overshadowing, the Daylight and Sunlight Study demonstrates that, whilst there would be some impact from the development, this would not be so excessive given the other benefits to residents from the improvement and redevelopment of the site with the addition of controls over operations through conditions, that the application could be refused.

   In terms of traffic, whilst there would be some increase, this would not be so significant or noticeable over the period of the average day such that it would obviously cause more nuisance and disturbance than that currently experienced by residents from the existing use and other activities in the area attributable to the busy town centre location. The number of existing on street parking spaces would be retained.

   It is, therefore, considered that, on balance, the greater benefits to the town through the investment of a new hotel, providing long term jobs and putting a marker down for visitors and tourists in the future, would benefit Worthing in the longer term and improve the appearance of the site and the Conservation Area with little additional harm to the residential amenities of the area.

   As such, the approval is considered to accord with the saved Worthing Local Plan Policies RES7, RES9, RES12, CT3, BE1, TR9, H18 and LR8; Submission Core Strategy (April 2010) Policies 3, 4, 5, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18 and 19; and the now reinstated South East Plan Policies SP3, CC1, CC2, CC3, CC4, CC6, CC7, H3, H4, T1, T2, T4, T5, NRM10, NRM11, NRM12, W2, BE1, BE3, BE6, TC2, TSR1, TSR5, SCT6 and SCT7.

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.