Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0038/FULL

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

Mr Paul Burgess
Lewis And Co Planning
Paxton Business Centre
Portland Road
Hove
East Sussex
BN3 5SG

PROPOSAL: Application for new planning permission to replace extant planning permission WB/07/0144/FULL (dated 29th March 2007) to demolish existing detached garage to rear of property and construction of new two storey detached dwelling with basement and off street parking.

LOCATION : 33 St. Matthew's Road Worthing

DATE REGISTERED : 22nd February 2010

APPLICANT : Bluecube Construction Ltd

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Site Location plan to scale 1:1250 and Drawing Nos. 051202-002, 003, 004B, 005A, 006B, 007B, 008B, 009B and 010B 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.

[redacted]

Executive Head of Planning,
Regeneration and Wellbeing

Dated : 30th March 2010

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

2. No development shall take place until details of the screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until such screen walls or fences as may be agreed have been erected.

   Reason: In the interests of amenity.

3. The development hereby permitted shall not be occupied until the parking provision shown on the approved plans has been provided and constructed. The parking facility so provided shall thereafter be retained to enable the parking of a vehicle.

   Reason: To ensure that adequate parking is retained to serve the development.

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

   Reason: In the interests of visual amenity.

5. The dwelling shall not be occupied unless or until cycle parking is provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

   Reason: To provide an alternative and sustainable means of transport to the motor vehicle

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the building shall not be extended or altered in any way (including the provision of outbuildings, or the insertion of windows, doors or other openings into the building) unless permission is granted by the Local Planning Authority in an application on that behalf.

   Reason: In the interests of visual amenity and to safeguard the amenities and privacy of the occupiers of adjoining properties.

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8. 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.

9. 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 measures for their protection during the course of development. 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.

10. The development hereby permitted shall not commence unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building has 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.

11. The development shall not 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.

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12. 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.

13. 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.

14. Prior to the commencement of the development hereby approved, the Local Planning Authority shall agree in writing a method statement to explain how the excavation and construction of the development will be carried out. The method statement shall include copies of letters sent to the occupiers of adjoining properties (the addresses of which shall be agreed with the Local Planning Authority), and shall take account of any concerns raised by the occupiers of the consulted properties. Thereafter, the excavation and construction of the development shall be carried out fully in accordance with the agreed details.

    Reason: To safeguard the amenities of the road and the occupiers of adjoining properties.

15. Prior to the commencement of the development hereby approved details of the finished ground levels around the building including the proposed ramps and decked areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained fully in accordance with the agreed details.

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

16. The cill levels of the upper floor high-level windows on the flank elevations of the dwelling hereby permitted shall be a minimum of 1.65 metres above finished internal floor level.

    Reason: In order to safeguard the privacy of the occupiers of adjoining properties.

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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 the development complies with approved details in the interests of protection of Controlled Waters.

18. Clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic only shall be permitted as infill material.

    Reason: To prevent pollution of controlled waters.

19. 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.

INFORMATIVES

1. Contamination

    The developer should be aware that the private garage occupying the site has been in unregulated use since its erection in the 1950's. There is a potential for this type of land use to cause contamination. During development of land potentially affected by contamination, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on site.

2. Demolition/Sustainability

    Due consideration should be given to the possibility of reusing and/or recycling materials produced as a consequence of demolition. All waste must be disposed of by an appropriately licensed carrier and taken to an appropriately licensed disposal site under the relevant Duty of Care Waste Regulations. Further information can be obtained from the following link: www.environment-agency.gov.uk/business/sectors/32709.aspx

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3. Reasons for Approval

Planning permission has been previously granted for this development in March 2007. As matters have not changed materially on site or in policy terms since the first grant of planning permission the application is approved.

Members considered that the proposed dwelling represents an exceptional standard of design and is innovative and sustainable. They noted the lack of objection from the Conservation Area Advisory Committee and considered that the proposal would preserve or enhance the character or appearance of the Conservation Area and would accord with Policy BE6 of the South East Plan.

The proposed development is within the built-up area and would help meet the need for additional housing 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. It would consequently not conflict with the relevant 'saved' Policies of the Worthing Local Plan (BE1, H18, TR9) and the South East Plan Policies (SP3, CC1, CC6, H1, H2, H4, H5, T4, SCT5).

4. 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 South East Plan 2009 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Saved Worthing Local Plan Policies 2003

BE1 - Design Quality
H16 - Domestic Extensions and Alterations
H18 - Amenity of Residents
RES7 - Control of Polluting Development
RES9 - Contaminated Land
RES12 - Provision of Infrastructure

South East Plan 2009

BE1 - Management for an Urban Renaissance
BE6 - Management of the Historic Environment
CC1 - Sustainable Development
CC4 - Sustainable Design and Construction
CC6 - Sustainable Communities and Character of the Environment
H1 - Regional Housing Provision 2006-2026
H2 - Managing the Delivery of the Regional Housing Provision
H5 - Housing Design and Density
M1 - Sustainable Construction
NRM1 - Sustainable Water Resources and Groundwater Quality
NRM2 - Water Quality

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NRM11 - Development Design for Energy Efficiency and Renewable Energy
SCT5 - Housing Distribution
SP3 - Urban Focus and Urban Renaissance
T4 - Parking

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.