Expiry Date - 09/05/2011

Development Control – Delegated Officer Report

Application Number: 10/0867/FULL		**Recommendation – APPROVE**
Site:	**25A Chapel Road Worthing West Sussex BN11 1EG**	
Proposal:	**Discharge of condition 5 of WB/10/0867/FULL details received for domestic waste storage arrangements: provision of bin storage enclosure in parking bay at east end of Market Street: Change of use from offices to 7 No. Self contained apartments on first, second and third floor including alterations to windows and doors and construction of a dormer window on front (east) elevation.**	

Site Visit

1.3.18

Site Notice

1.3.18

Newspaper notice

Expires 29.3.18

Neighbour consultation

Expires 27.3.18

Background

The property which is the subject of this application was granted permission for *Change of use from offices to 7 No. Self contained apartments on first, second and third floor including alterations to windows and doors and construction of a dormer window on front (east) elevation* on 1.11.11.

It is situated on the west side of Chapel Road in the heart of the town centre in a Victorian terrace and backs onto Liverpool Gardens.

Refuse collection arrangements were shown in the submitted scheme as bins being collected from the Tescos ground floor rear service area off Liverpool Gardens. This area was shown within the red line. However, as this arrangement was unacceptably inconvenient, requiring future occupiers to make the circuitous journey to the rear of Tescos, details for the storage of the domestic waste (along with cycle storage) were reserved by condition.

This was secured in condition 5 as follows:

Notwithstanding the submitted drawings, no flat shall be occupied unless and until a scheme has been submitted to and agreed by the Local Planning Authority and implemented to its satisfaction for domestic waste/recycling/composting storage and residents' bicycle storage and the said agreed facilities shall be retained thereafter.

{\b Reason}: {\i To ensure satisfactory provision in the interests of the living conditions of future residential occupiers; to minimise landfill and to ensure sustainable access in view of the absence of any on site car parking in accordance with saved Worthing Local Plan Policies H18 and RES7 and Core Strategy Policy 16 and PPG13: Transport.}

All pre-commencement and pre-occupation conditions requiring prior approval of details have been approved, including cycle storage in condition 5, and discharged, except for bins storage arrangements in Condition 5.

The conversion was completed in 2016 and has been occupied since in breach of condition 5.

Following an enforcement investigation, negotiations to secure an acceptable bin storage arrangement began in late 2016.

It became rapidly apparent that no suitable storage space was available on the site and even in Tescos.

In co-operation with the Council bins service, residents in the meantime were using the pavement on the north side of Market Street which is almost directly opposite on the east side of Chapel Rd. This was reasonably convenient in terms of accessibility but unsightly as it added to an existing long row of bins serving other flats in the vicinity without access to dedicated on site storage. It was also obstructive for pedestrians . It is without the consent of the highway authority.

A joint search with The Strategic Waste Manager to identify a sustainable long term solution ensued.

The site and bins enclosure subject of the current application were identified as the best option.

Quite separately, the owners fo No 25A (current applicants) have agreed terms for the new bin enclosure subject of the application to be used by the occupiers of No 25A.

The site

The site subject of the condition discharge application is some 43 ms to the east of No 25A at the eastern end of Market Street – a short cul de sac off Chapel Rd, whose eastern terminus is marked by bollards. This part of the street is public highway with double yellow lines along its length.

Beyond the terminus of Market St and the bollards, is a private service area accessed off Chatsworth Rd.

The application site is part of this service area and is currently used as a private parking bay.

The parking bay is owned by Worthing Council but up until recently leased to the Guildbourne centre. It is now leased back to Worthing Borough Council waste services.

The site adjoins the external stairs to the Guildbourne centre flats and another private parking bay. To the north west are the rears of the commercial units in Chapel Rd whilst along the northern side of Market Street is the entrance to some upper floor flats above the commercial units. The pavement in front of these is used to store around twenty wheelie bins serving flats in the vicinity.

Immediately behind the site is a tall brick wall of the Guildbourne centre.

To the south west, beyond the bollards, is another private service access road serving the Chapel Rd commercial units to the south .

The Proposal

The bin enclosure is 4.6ms long; 1.78 mas tall and 1.4 ms deep. It faces west and contains 3 doors opening outwards and its roof is convex. The enclosure takes 3 large communal domestic bins, each 1100 litres. There are two for waste and one for recycling. It is faced in effect timber cladding. Bins would be emptied once a week.

Consultations

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Planning Services should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application 10/0867/FULL seeking change of use of 25A, Chapel Road, Worthing to 7 x self-contained apartments on 1st, 2nd & 3rd floors including alterations to windows & doors and construction of a dormer window on front (east) elevation.

No highway concerns were raised and consent was granted by the Local Planning Authority.

This consultation response seeks to deal with plans and details provided pertaining to condition 5 (waste and cycle storage) of the aforementioned planning consent.

From inspection of the plan provided no details pertaining to cycle storage facilities have been submitted. The original proposed floor plan (SK04) details a refuse storage provision which seems to be suitably located.

Please re-consult when plans and details pertaining to the cycle parking provision have been submitted.

Representations

None received.

Planning Appraisal

The principal planning considerations are:

- Need for adequate domestic facilities
- Neighbour amenity
- Visual impact on streetscape and Conservation Area
- Servicing, access and loss of one private parking bay

The relevant policy framework is Core Strategy Policies 8 and 16; and Saved Local Plan policies H18 and RES7 and the SPD Space Standards and The National Planning Policy Framework and Planning Practice Guidance.

The necessity for adequate domestic bin and recycling facilities was established in the permission under condition 5 of WB/10/0867/FULL and is reflected in the requirements for good quality homes in Core Strategy Policy 8 and specific waste storage requirements for new dwellings in SPD Space Standards.

Provision of a small structure for bin storage such as the bin enclosure as proposed here, on council owned land, may be undertaken quite independently by a Local Authority under Part 12, Class A of the General Permitted Development Order:

A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—
(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

The applicants and the Council waste services have separately agreed terms for the Council to provide the proposed bin enclosure.

The impossibility of storage provision on site has been demonstrated and off site provision is the only practicable option.

The site has been identified in consultation with Council Waste services as the best available option. It is convenient for and close to the flats at 23A and the facilities are adequate in size.

The proposal enables the existing large informal storage of wheelie bins along the north side of Market street to be significantly reduced, to the benefit of the adjacent flats' and wider amenity.

The enclosure is sufficiently remote from any other flats or sensitive use to not present a source of disturbance. The enclosure is customer designed and enclosing the bins helps minimise odour and risk of vermin and anti social behaviour (the existing bins were the subject of a recent arson attack) .

The enclosure is sited away from the main public thorough fare at the end of a little used and secluded site of low townscape value, apart from what remains of the intrinsic character of the Victorian buildings flanking it up to the bollards. The cluster of street wheelie bins on the north side is very unsightly and the servicing area behind the Chapel Rd commercial properties unattractive and utilitarian.

The enclosure is modest in size and low in height and neatly designed. In its context and viewed against the backcloth of the tall brick wall the timber effect finish, means it will blend in very well and would not be obtrusive. No harm to the Conservation Area would result; indeed the removal of a number of the existing wheelie bins which are more prominent would be a distinct benefit.

Expiry Date - 09/05/2011

The enclosure can be easily serviced by Waste services. Removal of some of the existing wheelie bins facilitated by the proposal will improve pedestrian accessibility along the pavement.

The loss of one private parking bay is acceptable in this sustainable location, well served by public on street and off street parking including adjacent Guildbourne centre car park.

Recommendation

Approve

Delegated

Case Officer **PD** **Date 3.4.18**

Authorising Officer **Gary Peck** **Date 5 April 2018**