Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1041/FULL

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

Atkins Ltd
Chilbrook
Oasis Business Park
Eynsham
Oxford
Oxon
OX29 4AH

PROPOSAL: Demolition of all existing college buildings and erection of new build development consisting of 3 storey building(s) with 6 storey "tower" as new Further, Higher & Adult Education college on existing college site, inclusive of associated on site car parking and hard & soft landscaping.

LOCATION : Northbrook College of Further Education Broadwater Road

DATE REGISTERED 16th August 2007

APPLICANT : Northbrook College

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in plans which accompanied the application PLOO 3 RevP5, 4 RevP4, 5 RevP4, 6 RevP4, 7 RevP4, 8 RevP4, 9 RevP4, 10 RevP6, 11 RevP6, 12 RevP5 and 13 RevP6, 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 : 18th August 2008

Executive Head of Planning,
Regeneration and Wellbeing

Note: Your attention is drawn to the notes and information 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 building shall be occupied until such screen walls or fences as may be agreed have been erected in accordance with the approved plans.

   Reason: In the interests of amenity.

3. Prior to the commencement of development a Phasing Plan shall be submitted indicating how the development is to proceed and the car parking facilities to be made available for the College at each stage of the development. Thereafter, the development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

   Reason: To control the development in detail and ensure adequate car parking exists.

4. Prior to the commencement of the development a Stage 2 Safety Audit shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The recommendations of the Stage 2 Safety Audit shall be incorporated into a revised access plan to be submitted in accordance with the requirements of Condition No.5.

   Reason: In the interests of road safety.

5. Prior to the commencement of development details of the proposed access into the first phase of the development (incorporating any recommendation of the Stage 2 Safety Audit) shall be submitted in accordance with the approved Phasing Plan and approved by the Local Planning Authority in consultation with the Highway Authority.

   Reason: To provide suitable access to the development.

6. No development, hereby approved, shall be commenced until an appropriate wheel washing facility located adjacent to the construction site access has been provided in accordance with the approval of the Local Planning Authority.

   Reason: To ensure the public highway is kept free from debris and mud being deposited from the site.

7. No development, hereby approved, shall commence until an area for the storage of materials, parking for construction traffic and an appropriate turning area has been provided within the site clear of the public highway in accordance with a detailed construction plan to be submitted to and approved by the planning authority. These areas shall thereafter be retained at all times for their designated use.

   Reason: To ensure that adequate space exists for the storage of materials and the provision of parking and turning for construction related traffic.

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8. No part of the development shall be occupied until provision has been made for that phase of the development to prevent surface water discharging onto the public highway in accordance with details first submitted to and approved in writing with the Local Planning Authority.

   Reason: In the interests of highway safety.

9. 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.

10. No external lighting/ floodlighting including the floodlighting of the MUGA shall be installed or used without the prior approval of the Local Planning Authority in an application on that behalf.

    Reason: To safeguard the amenities of the occupiers of neighbouring properties.

11. 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.

12. The landscaping details required by Condition 11 shall provide for a minimum planting depth of 2 metres to the boundary of the site around the proposed car parking area.

    Reason: In the interests of amenity and the environment of the development.

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13. The existing trees, bushes and hedges shall be retained and protected, in a manner to be agreed in writing with the Local Planning Authority before the development commences, for the duration of the development. They shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period, shall be replaced in the following planting season with trees of such size and species, unless the Local Planning Authority gives written consent to any variation.

    Reason: To ensure that vegetation which is important to the visual amenity and for the environment of the area is retained.

14. All retained trees and shrubs to be protected during construction, in accordance with BS 5837: 2005 'Trees in Relation to Construction'.

    Reason: In the interests of the environment of the development

15. No trees shall be felled during the bird nesting season (1st April - 1st September) unless it can be demonstrated through the submission of an ecologist report and approved in writing by the Local Planning Authority which confirms that there are no breeding birds within the tress to be felled.

    Reason: In the interests of the environment of the development and in accordance with the Wildlife and Countryside Act 1981.

16. 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 roof of the proposed 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.

17. The building hereby approved shall not be brought into use or occupied until all external finishes, as shown on the approved plans, have been fully completed to the satisfaction of the Local Planning Authority.

    Reason: To ensure that the development is implemented in a manner which accords with the approved plans and which is satisfactory in appearance.

18. The use hereby permitted including plant rooms, energy building and Theatre, shall not commence or be carried on unless and until the premises have been sound insulated in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority.

    Reason: To safeguard the amenities of the occupiers of neighbouring properties.

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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.

20. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

    Reason: The site is of archaeological significance and it should be recorded by excavation before it is destroyed by development.

21. No structure, plant, equipment or machinery other than those indicated on approved plans shall be placed, erected, or installed on or above the roof or on external walls without the prior approval in writing of the Local Planning Authority.

    Reason: To safeguard the external appearance and character of the building

22. The development hereby permitted shall not be commenced unless and until details of the sustainable design features of the development and its construction have been submitted to and approved by the Local Planning Authority. Such measures to include achieving energy efficiency in construction and use of building materials; the use of daylight, sunlight and natural air flows to provide heating and ventilation for the building; re-use and recycling of water and rainwater, composting of domestic food and garden waste; use of solar and wind energy and incorporation or utilisation of recycled building materials and excavated material and ecological restoration and enhancement of the site, including provision of bat and bird nesting boxes, as appropriate. The sustainable design measures shall ensure that a minimum of 20% of the energy requirements of the development are from renewable sources. The development shall not be built or constructed other than in full accordance with any such approval.

    Reason: To maximise the opportunities for sustainable design in accordance with the saved West Sussex Structure Plan policies DEV1 and ERA2 by improving the energy efficiency of the building and reducing demands on natural resources and waste generation and enhancing wildlife habitats in accordance with West Sussex Structure Plan policy ERA2 and Government guidance in PPS9: Bio- Diversity and Geological conservation; PPG22 Renewable Energy; and PPS10 Planning for Sustainable Waste Management.

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23. The use of the MUGA shall take place between the hours of 9.00am – 6.00pm Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby properties.

24. The use of the amphitheatre, hereby permitted shall not be permitted except between the hours of 9.00 am - 9.00 pm Mondays to Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby properties.

25. At all times a barrier shall be retained as indicated on the approved plans preventing vehicular traffic using Carnegie Road east of the application site.

Reason: In the interests of highway safety.

26. The use of the College and associated facilities including the restaurant and Theatre shall not be permitted except between the hours of 7.00 am and 12 midnight on any day.

Reason: To safeguard the amenities of the occupiers of nearby properties.

Informatives

1. Prior to the commencement of works within the public highway, associated with the site access and highway works, the applicant shall obtain the appropriate Agreement from West Sussex County Council, as Highway Authority. This Agreement will be dealt with under the provisions of a Section 278 Agreement of the Highways Act, 1980, details of which can be obtained by contacting the Development Control Section, Highways and Transport Unit of the County Council at Chichester. (tel. no. 01243 777155). The agreement must be completed and the works implemented prior to the commencement of development.

2. The consent of the Environment Agency and/or Southern Water Services Limited will be required for any discharges (land drainage/water supply/surface/and foul water disposal drainage) resulting from the development. The applicant is advised to contact Southern Water (the Divisional Planner at Southern House, Lewes Road, Falmer, Brighton, East Sussex BN1 9PY, (Telephone: 01273 606766) and the Environment Agency (Regional Planning Engineer at Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD, (Telephone: 01903 820692).

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3. The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline (Tel: 0541 545500).

4. The applicant is advised that should previously unidentified protected species be found to be present during construction works, work must stop and Natural England be informed. A licence may be required from Natural England before works can re-commence. Natural England will advise accordingly.

5. This permission does not authorise the display of advertisements shown on the submitted plans, for which separate express consent under the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 is required. It is an offence to display advertisements without this consent.

6. This planning permission has been granted subject to the conditions listed above. The Council has a formal procedure for checking compliance with planning conditions and you are advised to ensure that all conditions are fully discharged. Any conditions which should be discharged prior to the commencement of development and/or which require specialist or technical data and information to be provided should be dealt with promptly. Failure to comply with a condition can result in enforcement proceedings, including the service of a Breach of Condition Notice. If you have any queries on the requirements of the conditions then please contact Maresa Kingston; on extension 1346; who is the Case Officer for this application.

Reason for Grant of Planning Permission

1. 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 2003

BE1 - Design Quality
H18 - Amenity of Residents
RES7 - Control of Polluting Development
RES12- Provision of Infrastructure
TR9 - Parking requirements for development

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Saved West Sussex Structure Plan 2001 – 2016

CH1 - Character
CH7 - Archaeology
DEV1 - High quality development
DEV4 - Travel needs and choices
DEV5 - Parking provision

2. The Development Control Committee had regard to the fact that the proposal represents a significant investment in educational facilities and would provide a first class facility for further education in the town. Whilst it was recognised that the contemporary design approach was bold and that the tower feature would be a dominant feature on the skyline, it was considered that the design was of high quality and that its scale, height and massing could be accommodated on the site.

Subject to controls on hours of use of various facilities on the site and the implementation of a comprehensive landscaping scheme, it was not considered that the development would have an adverse impact on the amenities of adjoining residents.

The Committee also had regard to the fact that the Highway Authority raised no objection to the development and subject to the implementation of a number of mitigation measures and a significant financial contribution to improve the accessibility of the site, the development would not have an adverse impact on the local highway network.

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.