Suggested Conditions

Appeal Reference APP/M3835/W/24/3337792

Town and Country Planning Act 1990 (as amended).

Appeal by Mr Clint Westlake

Site at Cumberland Court, Wallace Avenue, Marine, Worthing, West Sussex, BN11 5RB

Local Planning Reference: AWDM/0835/23

Suggested conditions

1. 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.

2. 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 and balcony of the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason: In the interests of visual amenity and to comply with policy DM5 of the Worthing Local Plan 2023

3. 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 landscaping and biodiversity habitats, which shall include indications of all existing trees and hedgerows on the site and details of those to be retained, together with measures for their protection in the course of development. The plan shall include details of a scheme to provide a minimum of 10% net gain for biodiversity including providing enhanced habitats as shown on the approved plans. All planting and enhanced biodiverse habitats shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees plants or habitats 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.

Reason In the interests of visual amenity and the biodiversity on the site and to comply with Policies DM5 and DM18 of the Worthing Local Plan.

4. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

5. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies

6. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 08.00 and 13.00 hrs on Saturday. No works shall take place on Sundays or on Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM5 of the Worthing Local Plan 2023

7. Construction work shall not commence until a scheme for the protection of the existing neighbouring premises from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM5 of the Worthing Local Plan 2023

8. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Management Plan shall be adhered to throughout the construction period. The Plan shall provide for:-

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,

- HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's),
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- methods to control dust from the site,
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites,
- details of public and neighbour engagement both prior to and during construction works.

Reason: In the interests of highway safety and amenity.

9. No new dwelling shall be first occupied until provision for the storage of refuse and re-cycling has been made in accordance with details of the design, construction and appearance of the provision shown on the approved site plan plus details of provision to serve the existing building, has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of amenity and the environment

10. Development shall not commence unless and until details of proposed climate change mitigation and adaptation have been submitted to and approved in writing by the LPA. No dwelling shall be first occupied unless and until the agreed climate change mitigation and adaptation measures have been implemented and shall thereafter be retained.

Reason: To minimise vulnerability and provide resilience to the effects of climate change in accordance with policies DM16 and DM17 of the Worthing Local Plan.

11. Development shall not commence until an acoustic survey has been submitted to and approved in writing by the Local Planning Authority to deal with noise transmission from the lift and sound insulation between existing and proposed floors including the roof terrace. Testing of the effectiveness of this insulation shall be undertaken to demonstrate compliance with any report before the new flat is first occupied.

Reason: In the interests of the amenities of neighbours and future residents in accordance with policy DM5 and DM22 of the Worthing Local Plan