Worthing
BOROUGH COUNCIL

Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/10/0743/FULL

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

Mrs Annamarie Beresford
Silver Birches
Gorse Lane
Worthing
West Sussex
BN13 3BX

PROPOSAL: Application for a new planning permission to replace extant planning permission WB/07/0796/FULL for conversion of detached garage into residential annexe including alterations to implement use.

LOCATION : Silver Birches Gorse Lane Worthing

DATE REGISTERED 24th August 2010

APPLICANT : Mrs Annamarie Beresford

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing Nos. 057.07.01, 02A, 03, 06 and 07 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 : 4th October 2010

Executive Head of Planning,
Regeneration and Wellbeing

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

2. The annexe hereby permitted shall not be sold or let or occupied at any time as a separate unit of residential accommodation. It shall only be occupied by a dependent relative of an occupier of the main property ('Silver Birches') for purposes ancillary to the residential use of the house known as 'Silver Birches'.

   Reason: To ensure that a separate unit of accommodation is not created which may be unacceptable to the Local Planning Authority in this particular case due to impact on the character and appearance of the property and area and harm to neighbour amenity in accordance with Saved Worthing Local Plan Polices H18, H13 and BE1.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the annexe building hereby permitted shall not be extended or altered in any way unless permission is granted by the Local Planning Authority in an application on that behalf.

   Reason: In the interests of visual amenity and to retain the domestic scale of the building in accordance with Saved Worthing Local Plan Polices H18, H16, H13 and BE1.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no additional walls, fences or other means of enclosure shall be erected to enclose the annexe building or subdivide the existing plot; or new vehicular or pedestrian access to the annexe be created within the curtilage of the application site, unless permission is granted by the Local Planning Authority in a planning application on that behalf.

   Reason: In the interests of visual amenity and to prevent the creation of a separate curtilage in accordance Saved Worthing Local Plan Polices H18, H16, H13 and BE1.

5. 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 Saved Worthing Local Plan Policy H18.

6. The development hereby permitted shall be carried out in accordance with the approved plans and Conditions imposed by this permission.

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

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7. 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: As a precautionary measure, to prevent danger to human health and pollution of groundwaters from disturbance to any contamination of the site by the proposed works in accordance with PPS23 : Planning and Pollution Control ;Worthing Local Plan Policy RES7.

INFORMATIVES

1. The principle of the proposed development has been previously accepted and material circumstances have not changed such that approval should be withheld. Subject to the conditions imposed, the proposal would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the 'saved' Policies BE1, H13, H16 and H18 of the Worthing Local Plan.

2. The developer should be aware that the private garage occupying the site has been in unregulated use since its erection in the 1930'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 this site.

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.