Worthing
BOROUGH COUNCIL

**Portland House**
**Richmond Road**
**Worthing BN11 1LF**

APPLICATION NO. WB/10/0827/FULL

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

Mr & Mrs Dhesi
Normandy Lodge
Wellingham Lane
Worthing
West Sussex
BN13 3AU

PROPOSAL: Application for a new planning permission to replace extant planning permission WB/07/1256/FULL to extend the time limit for implementation for the construction of a chalet bungalow and alterations and additions to Normandy Lodge.

LOCATION : Normandy Lodge Wellingham Lane Worthing

DATE REGISTERED 15th November 2010

APPLICANT : Mr & Mrs Dhesi

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in the approved plans 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 : 11th January 2011

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans except as where specified in any other condition attached to this permission:-

Drawing Nos. 9721/ 3B, 9721/30A, 9721/31A, 9721/32, 9721/33, 9721/34, 9721/35, 9721/36A 9721/37, 9721/38A, 9721/35SK, 9721/36SK, 9721/37SK and supporting documentation, which accompanied the application, including Arboriculturist report.

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

3. Notwithstanding the submitted drawings, the development hereby permitted shall not commence unless and until architectural details of the development including dormers; roof ridge and hips; eaves; and external doors and windows rainwater goods; and 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 details and materials.

Reason: In the interests of visual amenity in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.

4. 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.

5. 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 boundary treatments, 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. For avoidance of doubt the Judas and Laurel trees on the northern boundary shall be retained and shall not be felled or pruned unless otherwise agreed by the Local Planning Authority. 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.

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Reason: In the interests of amenity and of the environment of the development in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement1: Delivering Sustainable Development, Planning Policy Statement 3: Housing and PPS9: Planning For Biodiversity and Geological Conservation.

6. The development shall not commence unless and until a scheme for the protection of the Judas and Laurel trees on the northern boundary has been submitted to and approved by the Local Planning Authority and the development shall not be carried out other than in full accordance with any such approval. Such a protection scheme shall include measures to protect the trees from damage during construction/demolition and the design of and method of construction of the development foundations.

Reason: In the interest of visual and neighbour amenity in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement1: Delivering Sustainable Development; Planning Policy Statement 3: Housing and PPS9: Planning For Biodiversity and Geological Conservation.

7. The new dwelling shall not be built other than partly below surrounding, existing ground levels as shown in the approved plans.

Reason: In the interests of visual and neighbour amenity in accordance with Saved Worthing Local Plan policies BE1 and H18 and Planning Policy Statement1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.

8. The new dwelling shall not be occupied unless and until the alterations to existing house as shown in the approved plans have been fully completed.

Reason: To ensure a satisfactory visual and amenity relationship between the new and existing dwellings in accordance with Saved Worthing Local Plan policy BE1 and Planning Policy Statement1: Delivering Sustainable Development.

9. The new dwelling hereby permitted shall not be occupied until all of the amenity space and boundary treatment shown on the submitted plans has been provided to the written satisfaction of the Local Planning Authority.

Reason: To ensure adequate amenity space is provided in accordance with Saved Worthing Local Plan policies BE1 and H18 Planning Policy Statement1: Delivering Sustainable Development. And Planning Policy Statement 3: Housing.

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10. The new dwelling hereby approved 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.

11. The development shall not be occupied unless and until the space shown on the approved drawing for the turning of vehicles clear of the public highway has been provided and this space shall not thereafter be used for any purpose other than as a turning area.

    Reason: To ensure that safe and efficient space for the turning of vehicles is made for parking vehicles clear of the highway whilst preventing inconsiderate and unsightly parking in the circulation and amenity areas, for the benefit of future occupiers and efficient and safe access in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and PPG13 Transport, and Planning Policy Statement 3: Housing.

12. The new dwelling hereby permitted shall not be occupied until provision for car parking has been made within the site for the new dwelling and existing bungalow in accordance with the approved plans. Such provision shall thereafter be retained.

    Reason: To ensure that adequate provision is made for parking vehicles clear of the highway whilst preventing inconsiderate and unsightly parking in the circulation and amenity areas, for the benefit of future occupiers and efficient and safe access in accordance with Saved Worthing Local Plan policies BE1, H18 and RES7 and PPG13 Transport and Planning Policy Statement 3: Housing.

13. The windows on the upper floor of the north elevation and the toplight of the kitchen on the ground floor of the north elevation of the dwelling hereby permitted shall be obscure glazed and non-opening and they shall not subsequently be altered in any way without the prior consent of the Local Planning Authority in an application on that behalf.

    Reason: To protect the amenities and privacy of the occupiers of the adjoining property in accordance with Saved Worthing Local Plan policy H18 and Planning Policy Statement1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.

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14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the north, west or east elevations of the proposed dwelling without the prior permission of the Local Planning Authority in an application on that behalf.

Reason: To protect the amenities and privacy of the occupiers of adjoining properties in accordance with Saved Worthing Local Plan policies BE1 and H18 and Planning Policy Statement1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), the new dwelling 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 and neighbour amenity in accordance with Saved Worthing Local Plan policies BE1 and H18 and Planning Policy Statement1: Delivering Sustainable Development and Planning Policy Statement 3: Housing.

16. 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 in accordance with Saved Worthing Local Plan policies RES7 and H18.

17. No development shall take place unless and until a scheme for the suppression of dust during demolition and construction in accordance with control of dust from construction and demolition activities BRE/PTI Feb 2003 has been submitted to and agreed in writing by the Local Planning Authority. The scheme as may be agreed shall be implemented throughout the entire course of demolition and construction unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Saved Worthing Local Plan policies H18 and RES7.

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18. 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.

19. The development shall not be commenced unless and until provision has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for surface water drainage.

Reason: To ensure sustainable drainage and to prevent flooding in accordance with PPS25: Development and Flood.

20. The development shall not commence unless and until a scheme has been submitted to and approved by the Local Planning Authority to:-

a) secure visibility sightlines at the junction of Wellingham Lane and Salvington Hill;
b) retain thereafter the said sightlines.

Reason: In the interests of highway safety whilst safeguarding the semi-rural character of Salvington Hill in accordance with Planning Policy Statement 3: Housing and PPG13: Transport.

INFORMATIVES

1. Reasons for Approval

This application has been decided in compliance with S.38 of the Planning and Compulsory Purchase Act 2004 (As Amended) which requires the application to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The relevant Development Plan policies are:-

**Saved Worthing Local Plan Policies 2003**

BE1 - Design Quality
H18 - Amenity of Residents
RES7 - Control of Polluting Development
RES9 - Contaminated Land
RES12 - Provision of Infrastructure
TR9 - Parking Requirements for Development

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**South East Plan 2009**

CC1 - Sustainable Development
CC2 - Climate Change
CC3 - Resource Use
CC4 - Sustainable Design and Construction
H1 - Regional Housing Provision 2006-2026
H3 - Affordable Housing
H4 - Type and Size of New Housing
H5 - Housing Design and Density
M1 - Sustainable Construction
NRM1 - Sustainable Water Resources and Groundwater Quality
NRM2 - Water Quality
NRM3 - Strategic Water Resources Development
NRM10 - Noise
RE3 - Employment of Land Provision
SCT1 - Core Strategy
SCT2 - Enabling Economic Regeneration
SCT5 - Housing Distribution
SP3 - Urban Focus and Urban Renaissance
T2 - Mobility Management
T4 - Parking

The relevant material considerations include the following:-

Planning Policy Statement 3: Housing
PPG13; Transport
PPG24 Planning and Noise:
Planning Policy Statement 1: Delivering Sustainable Development: Climate change supplement
PPG23: Planning and Pollution
PPS25: Development and Flood Risk
Worthing Submission Core Strategy Policies 8 and 9.

The planning history

and all representations and consultation responses received.

2. In reaching its decision the Council finds that the presumption in any such renewal of an extant planning permission is that planning permission should be renewed unless material circumstances have changed and indicate the decision should be modified or changed correspondingly. Whilst the policy framework has evolved, the overall thrust remains substantially the same whilst the physical circumstances of the site and surrounds are largely unaltered.

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The principle of more intensive use of urban area remains supported, despite some minor loss of garden and the scheme would contribute to meeting housing requirements. The scheme avoids unacceptable harmful impact to neighbour amenity, and the design is satisfactory. Access is also satisfactory. Subject to conditions proposed, the development is acceptable.

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.