

PLANNING APPLICATION REPORT

REF NO: AL/57/11/

LOCATION: Land to rear of
31 Meadow Way
Westergate Aldingbourne

PROPOSAL: Erection of 1 no. 2 bed bungalow following Outline Planning approval AL/7/11/

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Following outline approval, this application seeks permission for a similar proposal for a detached dwelling.
SITE AREA	0.041 hectares
RESIDENTIAL DEVELOPMENT DEN	24 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	There is a Silver Birch on the grass verge close to the proposed access.
BOUNDARY TREATMENT	Post and rail fencing to front and hedging.
SITE CHARACTERISTICS	Side garden of a detached chalet.
CHARACTER OF LOCALITY	Mixed residential. Meadow Way is predominantly bungalows. The site is on a corner plot and Westergate Street has a mixture of houses and bungalows. Existing dwelling is pink brick concrete tiled roof. Front porch.

RELEVANT SITE HISTORY

AL/7/11/	Outline application with some matters reserved for 1 no. 2 bed bungalow	Approved Cond + S106 12-04-2011
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REPRESENTATIONS

Representations received:
Awaited.

West Sussex Wildlife Protection:
Land needs checking for possible wildlife habitat.

Comments on Representations received:
Noted.

CONSULTATIONS

Environment Agency

WSSC Local Development Divis.
Council's Arboriculturalist

Consultations responses received:

Awaited.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Class A Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

The site lies within the built up area boundary where development is acceptable in principle subject to the normal development control criteria of visual and residential amenity. The proposal is for a new dwelling on the side boundary of the existing dwelling.

PPS3 Housing and Character

While the proposed dwellings would be located within the built up area where the principle of development is accepted, garden land has now been reclassified in Annexe B of PPS3 (June 2010) and is no longer classified as Brownfield/previously developed land. This reclassification is an attempt to stem the flow of loss of garden land and prevent the much publicised garden grabbing. While each application is judged on its own merit such development may have a possible impact upon the character of the area, the acceptability of which must be considered.

It should be noted that, whilst a presumption in favour of garden land development is no longer pursued, PPS3 does not advocate taking a negative stance towards garden land development. The intention is for a neutral view to be adopted and applications for development in garden land should be looked at on a case by case basis and judged on their overall merits. The core aim of PPS3 is to achieve development that is better integrated with its surroundings and does not produce excessive density and development of garden land that satisfies this aim would be viewed more favourably.

Furthermore the revisions to PPS3 make it clear that the need for development to be in character is no longer modified by either the need for a minimum density or the need to make efficient use of residential garden land. The assessment of whether a scheme is in character with the surroundings is therefore considered against a differing criteria compared to that before the change to PPS3.

In this case it is considered that the proposal would be in character with the area and it follows a similar application AL/7/11 which was in outline for access for a bungalow.

Highway Consideration

A new access is proposed in Meadow Way adjacent to the existing dwelling. County Highways have raised no objections with regard to visibility on the previous approval for an access in the same location AL/7/11. The car parking provision of 2 spaces is in accordance with the County matrix regarding provision.

Visual Amenity

There is a mature Silver Birch tree adjacent to the new access. The tree makes a significant contribution to the visual appearance of the street scene. Therefore it should be protected during construction.

Design

The previous indicative design and layout design included an attached garage. The design is similar to that previously approved, but without the garage.

Neighbour Amenity

The proposal is for a bungalow with no proposed dormers, therefore there is no potential overlooking of the existing dwelling from the new dwelling.

Affordable Housing

An Interim Affordable Housing Policy was approved by Full Council on 18th August 2010. The policy states that the Interim policy is in accordance with PPS3 Housing and for developments of 1-14 units an affordable housing provision of 15% off site provision will be sought district wide. Therefore as the proposal is for a new dwelling contributions will be required via a S106

Agreement. On the previous outline application an agreement was signed. This agreement requires an amendment to include this application which can be signed and appended to the front cover of the existing agreement.

Summary

The proposed dwelling will not adversely affect either residential or visual amenity and neither would it result in any adverse effects on highway safety. A satisfactory S106 agreement for affordable housing contribution has been received, but this needs to be amended to include this application.

Therefore it is recommended that the application is approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans site and block plans, layout plan rev C, floor plan rev E, elevations rev E

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The existing trees, bushes and hedges shall be retained and protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and 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 seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity, in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No trees, or bushes growing and to be retained on the site shall be damaged, uprooted,

felled, topped or lopped without the prior written consent of the Local Planning Authority until 2 years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity, in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The building shall not be occupied until provision has been made on site for secure cycle storage. The areas of land so provided shall not thereafter be used for any purpose other than the secure storage of cycles.

Reason: To ensure that satisfactory provision is made for the alternative transportation to the car in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 7 In accordance with the submitted Flood Risk Assessment, the finished ground floor level shall be 7.55 metres above Ordance Datum.

Reason: The site lies within Flood Zone 2 where there is a risk of flooding. Therefore a planning condition has been imposed to safeguard property and people in accordance with PPS25.

- 8 INFORMATIVE: The building shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the West Sussex County Council. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

- 9 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN12

NATIONAL POLICIES: PPS1, PPS3, PPG13

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.