

Report of the meeting of the Development Control Post-Committee Site
Inspection Panel held on 07-FEB-2012

REF NO: K/28/11/

LOCATION: 69 Coastal Road
Kingston

PROPOSAL: Outline application with some matters reserved for demolition of existing detached dwelling & erection of 2 no. 5 bed dwellings, double garage & alterations to existing access

Present:- Councillors Mr Haymes (Chairman), Charles, Evans, Bower

Also present Valerie Masson representing Kingston Parish Council.

Apologies: Councillor Mrs Hazlehurst, Mrs Hall and Mrs Stainton.

The planning merits of the application were discussed in detail at the site visit with regard to the effect of the proposal neighbouring amenity, layout and scale of the proposed dwellings.

Members voted unanimously against the application as it was considered that the dwellings would have an adverse impact upon neighbouring properties given their scale and proximity to boundaries. The proximity to trees on the western boundary was also raised as a concern.

REPORT UPDATE

Application No: K/28/11/

Reason for the Update / Changes

Reason for Update/Changes:

During the post committee site visit members did not agree to the wording of a refusal reason. As such, a suggested refusal reason is given below:

The proposed dwellings by reason of their excessive footprint and projection beyond the rear of 67 Coastal Road together with the proximity to the eastern and western boundaries of the site would result in an unacceptable loss of residential amenity to the neighbouring properties by way of an overbearing affect and loss of light. The proposal therefore conflicts within policy GEN7 of the Arun District Local Plan and Planning Policy Statement 3 (PPS3) Housing .

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

K/28/11/

PLANNING APPLICATION REPORT

REF NO: K/28/11/

LOCATION: 69 Coastal Road
Kingston

PROPOSAL: Outline application with some matters reserved for demolition of existing detached dwelling & erection of 2 no. 5 bed dwellings, double garage & alterations to existing access

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This is an outline application for the replacement of the existing dwelling with 2No. residential dwellings to approve Access, Layout and Scale. The reserved matters are Appearance and Landscaping.

The submitted plans are for the sub-division of the site to accommodate the 2No. dwellings which are indicated as being of an art-deco appearance.

Plot 1 proposes a 2 storey 5No. bedroom detached dwelling with an integral double garage, a 2nd floor sun room with balcony and a 1st floor balcony to the southern elevation. Access would be incorporated via the existing driveway.

Plot 2 proposed a 2 storey 5No. bedroom detached dwelling also with a 2nd floor sun room with balcony and 2 1st floor balconies to the southern elevation. This dwelling is proposed with a detached garage forward of the dwelling and a new vehicular access formed at the end of the existing cul-de-sac.

SITE AREA	0.25 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Block walling enclosing the north, east and south boundaries, approximately 2m in height to southern and eastern boundaries and 1.4m in height to the north, increasing to 2m in height to shared front boundary with No.66. Western boundary kept by timber fencing, approx. 2m in height which is supplemented by trees/hedging 5m and greater in height.
SITE CHARACTERISTICS	Large detached 2 storey dwelling, set within a spacious plot with garden areas laid to lawn to both the side and rear of the property. Walled front garden with various planting and lawn. The dwelling has red brick and rendered elevations at ground floor level with grey hanging tiles above. Hipped grey tiled roof with flat roof dormer to front over the integral double garage. Greenhouse and shed to west side of rear garden.
CHARACTER OF LOCALITY	Sited within a private residential estate at the end of a cul-de-sac. Mix of types and styles of large detached dwellings within the locality. Greensward and beach to the south of the site. Properties front Golden Acre back onto west boundary.

RELEVANT SITE HISTORY

K/33/01/	Outline application for residential plot to take two storey dwelling.	Refused 30-11-2001
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REPRESENTATIONS

Representations received:

Kingston Parish Council

No objection to the principle of two dwellings on the site, but objections are made as follows:

-Houses should be 2 storey to maintain character of street scene.

- The garage shown on plot 2 is effectively front garden, detrimental to the street scene.
- Existing turning circle for all vehicles using Coastal Road should be maintained.
- First floor balconies are intrusive to the privacy of neighbouring properties, suggest privacy screens.
- The Parish Council request that Arun confirm with developers that they have no intention of extending the boundary fences to that shown.

7 Letters objection:

- Loss of sea view from living accommodation of 66 Coastal Road.
- Wording of the Design and Access Statement misleading in that it states the development will address the housing shortage.
- DAS incorrect when making reference to properties to the north and design and layout of 66 Coastal Road in particular.
- Loss of long established green, ecologically-valuable land for building for profit and inevitable damage and loss of trees and hedges.
- Infringement of a strategic gap.
- Loss of quality of living experience, having affects on property with loss of sea view.
- Study on affects of green space on health is attached.
- Intrusive and ugly nature of buildings, different architectural style to the current attractive home.
- Increased number of windows leading to overlooking resulting in decreased privacy.
- Close proximity of garage development to 66 Coastal Road, should be made integral to dwelling, replacing games room removing the garage from its intrusive location.
- Increase in traffic generation and disturbance from associated building works which must not obstruct neighbouring driveways at any point.
- Large properties resulting in multiple occupancy and vehicle movements and increased noise.
- Parking already an issue within the estate, the development would compound this problem.
- Increased demands to upkeep the roads and further cost to residents.
- Ruins the open spacious layout of the cul-de-sac.
- The proposed development will attract a holiday home market.
- Houses are to built further to the south than the existing which will spoil the view of properties from the greensward.
- Intrusive and inhibit light to Panorama
- The first floor balcony and second floor level will overlook the garden of Panorama and the back of the house.
- Object to any windows on the side of the house, but not clear within this outline application.
- Would like confirmation that the developers have no intention to move their boundary lines from those shown on the drawings.
- Proximity of Plot 2 to the east boundary of Genesis would be reduced from currently 10m to 3m.
- The garage is unacceptable, being very tight to the boundary and will mean that the trees will have to be removed along the boundary.
- Noise will result from the roof terrace.
- Development would conflict with PPS3 as the new properties would be located on residential garden land.
- Could lead to on-street parking and conflict with other users of the highway.

Comments on Representations received:

Comments on Parish Objection:

The proposed 2nd floor sun room would be set back to the rear half of the building with its scale meaning that it would not appear unduly prominent when viewing the property from the street scene. The proposed design of dwelling is one that often includes a small sun room

above the everyday living accommodation and is therefore appropriate to the art-deco design proposed, however it should be noted that Appearance of the dwellings remain as a reserved matter. It is considered that whilst the garage is forward of the dwelling the position of the site to the end of the cul-de-sac would mean that it would not detract from the character and spatial appearance of the street scene. A condition requiring details of balcony screening is recommended. The application does not propose to extend the boundaries of the site to that existing. Any alteration to the southern boundary is likely to require planning permission in its own right.

Comments upon letters of objection:

The loss of a sea view and associated building works are not a material planning consideration.

The site is occupied by an existing dwelling with well manicured gardens, which in this case is not considered to be of high ecological value. The site forms part of the built-up area boundary in which the development is acceptable in principle and does intrude upon the Kingston to Ferring Strategic Gap.

County Highways (who have given advisory comments only) have made no objection to the access arrangements proposed and consider that the provision of 8 parking spaces would be sufficient to serve the proposed dwellings. No detail has been submitted which would suggest that the development would impact upon the current turning circle at the end of this cul-de-sac.

The immediate locality and the estate itself is characterised by a mix of types and styles of properties. Whilst the design of the indicative dwellings varies to that of the immediate neighbouring properties, the proposed art-deco style dwellings are not considered to detract from the locality with art-deco style dwellings noted to the eastern end of Coastal Road. Nevertheless, the appearance of the dwellings remain as a reserved matter and are not a consideration of this application.

The other issues raised are addressed within the 'Conclusions' section of this report.

CONSULTATIONS

WSCC Local Development Divis.
Engineers (Coastal Protection)

Consultations responses received:

COUNTY HIGHWAYS: No highways concerns raised and comments raised are advisory given that the development is on a private road.

It appears from the site plan provided that Plot 2 will have use of a dedicated turn on site facility, allowing vehicles to enter and exit the site in the forward gear. It does not appear that this is the case for Plot 1. However given that this part of Coastal Road is a cul-de-sac I would not consider this to be a highway safety concern.

I would advise that the individual accesses should not exceed 3.0 metres in width, applicant is advised to contact the proprietor of Coastal Road to obtain formal approval to carry out the site access works on the highway. I would also require the driveway area and car parking spaces to be constructed in a bound material and that suitable drainage methods are installed to prevent private surface water running onto the private road. This proposal includes the provision for 8 off street car parking spaces, including the garages. This level of parking provision meets the

appropriate level of parking demand we would expect for a development of this size in this location. We would also ask that cycle parking is also included within this proposal, this should be secured and covered and enough for 2 cycles per dwelling.

I have also checked the most recently available verified accident records, which reveals there have been no personal injury accidents in the vicinity of the existing point of access. Evidence suggests that developments of this type are unlikely to result in increased access or safety concerns.

If the LPA are minded to approve this application, conditions securing the accesses, vehicular parking (& turning for plot 2) and cycle parking should be included.

Comments on Consultation responses:

Comments are noted. The proposed garaging is considered to provide sufficient secure and covered areas for cycle parking.

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

Private Road

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPCC4 SEPCC1 SEPH3 SEPH5 SEPSCT6	Sustainable Design and Construction Sustainable Development Affordable Housing Housing Design and Density Affordable Housing
Arun District Local Plan:	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment

SUPPLEMENTARY POLICY GUIDANCE

XXX6	Interim Affordable Housing Policy
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POLICY COMMENTARY

PLANNING

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

PLANNING

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 application is within the built up area where development is acceptable in principle. The application seeks outline permission for 2No. dwellings with some matters reserved. The matters for consideration are access; layout and scale.

While the proposed dwelling would be located within the built-up area where the principle of development is accepted, garden land is not considered to be brownfield/previously developed land, by virtue of Annex B of Planning Policy Statement 3 (PPS 3). It should be noted that, whilst a presumption in favour of garden land development is no longer pursued, PPS 3 does not advocate taking a negative stance towards garden land development. The core aim of PPS 3 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.

In this case the proposal is considered to be appropriate as its design and layout would be sympathetic to the density and scale of housing within the locality.

MATTERS FOR APPROVAL

Access:

Access to plot 1 is proposed via the existing driveway which will be adapted to reflect the new dividing boundary, and access to plot 2 would be formed at the end of the cul-de-sac with an opening formed in the front boundary wall. The proposed driveways would reflect the layout of the existing street scene, as such, they are not considered to detract from the layout of the street scene. County Highways have made no objection to the access arrangements proposed subject to a Condition restricting the maximum widths of the proposed driveways to 3m.

Layout:

The existing site is occupied by a large detached dwelling with gardens, predominantly laid to lawn to both sides and the rear of the property. This varies to the general character of the locality with the majority of properties only having small gaps to side boundaries. Whilst plot widths to sites on the north side of Coastal Road varies, to the south they are similar in width, varying from 20-25m in width. As such the sub-division of this large site to form two residential curtilages, both of which having an approximate width of 23m and adequate distances maintained to side boundaries means that the character and layout of the established street scene is maintained.

The proposed garage being forward of the dwelling within Plot 2 means that it would be readily visible within the street scene. Whilst the siting of garages are not noted within the locality, its position at the end of a cul-de-sac means that it would not appear unduly prominent within the street scene and would not detract the spatial character and appearance of the area.

Scale:

The proposed scale of the dwellings and garage are also considered to be appropriate, with the height, width and depth of the proposed properties reflecting that of neighbouring buildings. This combined with an acceptable layout means that the scale of the dwellings would not result in any undue impact upon neighbouring sites by way of an overbearing affect or loss of light. Also the single storey flat roof nature of the proposed garage and existing boundary treatment means that this would not result in any demonstrable loss of amenity to the adjoining neighbouring sites by virtue of an overbearing affect or loss of light.

AFFORDABLE HOUSING

The proposal seeks permission for 2No. residential dwellings, to replace 1 existing, therefore in accordance with the Councils Interim Affordable Housing Policy, A S106 Legal Agreement is required to accompany this planning application. The proposed agreement outlines the affordable housing contribution required upon the commencement of the development, in accordance with the Councils Affordable Housing policy which was adopted on 18th August 2010. In this case the authority require an affordable housing contribution of £12,171 for the net gain of 1No. further residential dwelling.

SUMMARY

The Access, Layout and Scale of the proposed dwellings are considered to be appropriate to the street scene, whilst also ensuring that the development does not have a detrimental impact upon neighbouring properties. As such it is therefore, recommended that subject to the receipt of a satisfactory Section 106 Legal Agreement for the affordable housing contribution required upon the commencement of the development, the application is approved subject to the following conditions:

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

Appearance;
Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing No.s 11/46/01; 11/46/02 and 11/46/03 Rev A.

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.

- 4 Before the balconies hereby permitted come into use details of 1.8m high obscure screens for the east and west elevations of the 1st and 2nd floor balconies for both Site 1 and Site 2 shall be submitted to and approved by the Local Planning Authority and the dwelling shall not be occupied until such screening has been erected in accordance with the approved plans and shall thereafter remain in perpetuity.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The windows at first floor level and above on the east and west elevations of the dwellings within Site 1 and Site 2 shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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 roofs of the proposed dwellings and garage 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/extension.

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.

- 7 The roofs of the dwellings shall not be used for any purpose other than as a means of escape in an emergency or for maintenance of the building.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with policy GEN7 of the Arun District Local Plan.

- 8 The building shall not be occupied until the access, parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The parking spaces and the areas of land so provided shall not thereafter be used for any purpose other than access and the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 9 The proposed new access shall not exceed 3m in width at any point.

Reason: In the interests of amenity and to ensure that adequate and satisfactory provision is made for the vehicles to access the property in accordance with policy GEN7 of the Arun District Local Plan.

- 10 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

SOUTH EAST PLAN: CC4, CC1, H3, H5, T6

NATIONAL POLICIES: PPS1, PPS3

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