

REPORT UPDATE

Application No: M/26/10/

Reason for the Update / Changes

Reason for Update/Changes:

Consultation Response

Environment Agency

No objections - the proposal is in Flood Zone 2 and standing advice applies.

Officers Comment:

Noted. The applicant has raised the floor levels accordingly.

Note: The changes to recommendation, conditions and/or reasons show under Officers Recommendation at the end of the attached report.

Or

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

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.

M/26/10/

PLANNING APPLICATION REPORT

REF NO: M/26/10/

LOCATION: 32 Ancton Way
Elmer Sands

PROPOSAL: Demolish existing prefabricated bungalow and build new 3 bedroom house

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application is for a replacement dwelling. The existing dwelling is a single storey sub standard building and the proposal is for a two storey dwelling.

SITE AREA	0.365 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. Tree at the rear.
BOUNDARY TREATMENT	Fencing to the side.
SITE CHARACTERISTICS	Single storey dwelling, rendered and painted white. Timber cladding to the front.
CHARACTER OF LOCALITY	Adjacent bungalows either side. Mix of houses and bungalows, new house at 28 under construction. Houses are timber clad at first floors and eaves.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Middleton Parish Council

Objection:

Elmer Sands is subject to regular surcharges of sewage and foul water and the area subject to major discussions. The proposal places an unacceptable load on the foul water drainage system as the dwelling has three bathrooms. The footprint and roof is much larger than the existing. If minded to approve a recycling system should be employed.

Elmer Sands Ltd.

Comment:

The estate is a mix of single storey and chalet bungalows which were built in the 1930s as holiday homes. It is vital that size and drainage are taken into consideration. Drainage systems cannot cope with increased loads. OFWAT are investigating the system. Grass verges are an important part of drainage and it is essential that car parking is contained within the dwellings.

One letter objection

A first floor side window will directly overlook neighbour. The garden of neighbour will be in the shade.

Comments on Representations received:

Parish Council:

Noted. The proposal is for a replacement dwelling and therefore there should not be a significant increase in additional drainage. The footprint is not considered to be a significant increase in size. The existing dwelling is substandard and the replacement is up to contemporary standards.

Others:

Noted. The homes are now permanent dwellings and the replacement building is proposed

to the contemporary standards. It is not considered that the replacement dwelling would significantly add to the existing drainage problems. The adjacent property is a bungalow therefore there is no direct overlooking of windows at first floor level. It is not considered that the dwelling would significantly overshadow garden areas. There is sufficient parking areas to the front of the dwelling.

CONSULTATIONS

Environment Agency

Consultations responses received:

Environment Agency - Awaited.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary.
Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPH5 SEPH6	Housing Design and Density Making Better Use of the Existing Stock
Arun District Local Plan:	GEN7 GEN12 GEN10	The Form of New Development Parking in New Development Tidal Flooding and Coastal Defence

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS25	Development and Flood Risk

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 and the proposal is for a replacement dwelling. Therefore development is acceptable in principle, subject to normal development control criteria being met.

VISUAL AMENITY

The existing dwelling is a substandard single storey former holiday home. The proposal is for a two storey dwelling which is a visual enhancement. The design is similar to others in Ancton Way and specifically similar to that being constructed at 18 Ancton Way. Therefore it is considered that the proposal is visually acceptable and within the character of the surrounding area.

RESIDENTIAL AMENITY

The proposal is for a house and the properties either side are bungalows. The proposal is for one side first floor window which is for a landing and two bathroom windows on the east elevation. Therefore there is no loss of residential amenity to neighbouring properties for overlooking. The dwelling has a one metre side boundary either side and it is considered that the proposal would therefore not be significantly overpowering or create any significant overshadowing.

DRAINAGE ISSUES

The issue of current drainage problems in the area has been raised. As the proposal is for a replacement dwelling it is not considered that this would significantly add to the existing problems.

FLOODING ISSUES

The proposal is to raise floor levels 600mm to mitigate against potential flooding. The application states that this is in accordance with the Environment Agency requirements.

SUMMARY

The replacement dwelling is not considered to create any significant loss of residential amenity. It is a visual enhancement on the existing and flood protection measures have been adopted. Therefore it is recommended that the application is approved subject to the Environment Agency comment and the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 This permission relates to the following approved plans 1/4, 2/4, 3/4, 4/4, dated 27 March 2010.

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 dwellinghouse building hereby permitted have been submitted to and approved by the Local Planning Authority and the materials and finishes so approved shall be used in the construction of the dwellinghouse building hereby permitted.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in the side elevations of the dwellinghouse building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The dwellinghouse building hereby permitted shall not be occupied until provision for car parking has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.

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

- 6 **INFORMATIVE:**

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

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, parking provision and highway safety, and flood risk, and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLANS H5, H6

LOCAL PLAN: GEN7, GEN12, GEN2, GEN10

NATIONAL POLICIES: PPS1, PPS3, PPG13, PPS25

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

- 7 INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.