PLANNING APPLICATION REPORT

REF NO: **M/40/10/**

LOCATION: 9 Sea Lane
Middleton on Sea

PROPOSAL: Renovation / re-building of existing stables and store to form hobby room and store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The building measures approximately 14.3m (maximum) in width, 6.8m (maximum) in depth and 3m (maximum) in height.
SITE AREA	Approximately 0.72 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Various mature and semi-mature within the site but none of any significance affected by the proposed development.
BOUNDARY TREATMENT	The application site on all sides is surrounded by shrubs/hedging and trees of a significant height and spread.
SITE CHARACTERISTICS	Detached property with brown brickwork, brown window frames with a red tiled roof. Stables and store the subject of this application located at front of site behind hedging/tree screening.
CHARACTER OF LOCALITY	Area of Special Character. Residential comprising detached properties of various styles and designs, some of notable character on large plots.

RELEVANT SITE HISTORY

M/28/96	Alterations & extensions to single dwelling	Approve Cond 21-06-1996
M/44/96	Alterations and extensions to single dwelling	Approve Cond 09-10-1996
M/63/96	Erection of pool house	Approve Cond 02-12-1996

M/30/98	Erection of pool house	Approve Cond 23-06-1998
M/13/01/	Extension at rear to provide new summer house	Approve Cond 06-04-2001
M/8/58	O/A for house & garage	Approve Cond 23-05-1958

REPRESENTATIONS

Representations received:

Objection

Whilst the Committee has no objection to the renovation/rebuilding it is concerned that this could be converted subsequently into either living accommodation or for business use. It is therefore requested that a condition is imposed preventing these scenarios, in perpetuity.

Further, the buildings presently cannot be seen from Sea Lane (ie west/north west) owing to trees and bushes adjacent to the road/footpath. It is important that a blanket TPO is imposed to ensure this cover remains so that the buildings continue not to be seen from the road, which is in an Area of Special Character (Policy Area 1).

1 Letter of Objection

As the original stables were constructed without planning permission the application should therefore be for a Lawful Development Certificate rather than a planning application.

Comments on Representations received:

Parish Council comments noted.

If the rebuilding/renovation is approved, then a condition will be imposed that the building shall only be used ancillary to the use of 9 Sea Lane and not as an independant unit of accommodation. The agent has confirmed that the trees within the site and adjacent to the building are to be retained and there is no intention to remove or damage any trees. The trees and bushes adjacent to the footway facing Sea Lane are not of any significance or worthy of a blanket Tree Preservation Order.

The application is for the demolition of the stables and rebuilding to comprise a store and hobbies room and will be determined on its own merits.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary
Area of Special Character
M/63/96 PDR Restriction regarding windows

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	AREA1	Areas of Special Character

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development

SUPPLEMENTARY POLICY GUIDANCE

MDS	Middleton-on-Sea Village Design Statement by Middleton PC

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 application seeks to rebuild the existing stables and store to form a hobby room and store for use in connection with the existing dwelling 9 Sea Lane. The site is located within the built up area boundary and also within an Area of Special Character where the principle of development is acceptable.

Visual Amenity

The existing wooden stable building and store are located at the front of the site in the north west corner and are screened from the highway by hedging/tree screening. The existing structure is to

be demolished and the new structure will be erected on the existing concrete base and will comprise a store and hobby room. There will be a minimal increase in floor area of approximately 4.6m with a height of 3m which is no higher than the existing structure. The external appearance remains the same with stained timber cladding but new timber doors are to be installed on the store with the addition of three PVCu windows and entrance door which will serve the hobbies room. The three windows on the hobbies room have been positioned to look directly into the garden. When viewed from the highway Sea Lane the roof line of the existing buildings and the proposed being the same height will not be readily visible through the dense hedging.

Residential Amenity

The immediate property to the north No 7 is sited approximately 14m away. Due to its single storey height and adequate distance to this property it is not considered that the building would detrimentally impact upon the residential amenities of this property or any neighbouring property by way of overbearing affect. If approved, a condition will be imposed that the building shall be occupied solely for purposes incidental to the occupation and enjoyment of No 9 Sea Lane and shall not to be used as a separate unit of accommodation.

Summary

The existing buildings which have been on the site for many years are in a poor state of repair and the rebuilding/renovation would be a significant improvement on the existing structures. The building would not be obtrusive in the street scene, nor would it detract from the character and appearance of the surrounding residential area or the Area of Special Character.

It is therefore recommended to approve the application, subject to 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: Site/Block Plan Drg No 1026/02, Floor/Elevations/Section Drg No 1026/01 dated 28th June 2010.

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

3 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of No 9 Sea Lane, Middleton as a dwelling and shall not be used as a separate unit of accommodation and no business activities are to be undertaken from the site.

Reason: In the interests of the character and amenities of the locality in accordance with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the

establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

4 A colour sample of the external timber cladding shall be submitted to and approved by the Local Planning Authority before development is commenced and the materials so approved shall be used in the construction of the building.

Reason: In the interests of amenity to achieve a reasonable visible quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

5 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 and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, AREA1

NATIONAL POLICIES: PPS1

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