

PLANNING APPLICATION REPORT

REF NO: M/59/10/

LOCATION: 17 The Layne
Elmer
Middleton-on-Sea

PROPOSAL: Variation of condition 3 of planning permission M/7/10/ to amend wording to include 'a top fanlight' in place of 'permanently non-opening'

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 0.117 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Dwarf brick wall to front, close boarded fencing and hedging over 2m high to sides and rear.
SITE CHARACTERISTICS	The site was previously a detached single storey bungalow dwelling, which is currently being developed to form a chalet bungalow style dwelling.
CHARACTER OF LOCALITY	The site is located on a private residential road of predominantly bungalows and chalet style bungalow dwellings.

RELEVANT SITE HISTORY

M/7/10/	Ground floor and roof extension.	Approve Cond 31-03-2010
M/53/10/NMA	Application for a non-material amendment following a grant of planning permission M/7/10/ for a ground floor and roof extension.	Approve 23-08-2010

REPRESENTATIONS

Representations received:

Middleton Parish Council
No Objection

Comments on Representations received:

Noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

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

This application seeks to vary condition 3 of planning consent M/7/10, which granted permission for extensions to 17 The Layne.

The condition stated that the first floor windows on the northern elevation of the building shall at all times be glazed with obscure glass and fixed to be permanently non-opening. This application

seeks to vary this condition by inserting a top fanlight within the bathroom window on the northern elevation of the building. The window would still be obscure glazed.

It is considered that the addition of a top fanlight within the window would not result in significant overlooking.

It is therefore recommended that the application be approved, subject to the following conditions:

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The window at or above first floor level in the northern elevation of the building shall:-
 - (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and
 - (ii) at all times be and remain glazed entirely with obscure glass.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 2 This permission relates to the following approved plans; site plan and window details, received 19th August 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 **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, DEV19

NATIONAL POLICIES: PPS1

MIDDLETON ON SEA VILLAGE DESIGN STATEMENT

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