

PLANNING APPLICATION REPORT**REF NO:** R/46/08/**LOCATION:** 22 Mill Lane
Rustington**PROPOSAL:** Demolition of existing bungalow and erection of 3no dwellings**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

The proposal would involve the demolition of an existing bungalow and the erection of a row of 3 no. terraced dwellings. A total of 6 car parking spaces and 6 cycle spaces are proposed as part of the development.

SITE AREA

0.06 hectares approximately.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

49 dwellings per hectare approximately.

TOPOGRAPHY

Predominantly flat

TREES

None of any significance to be affected by the proposed development.

BOUNDARY TREATMENT

The northern boundary consists of 2.5m dense hedging towards the rear, with 1m close boarded fencing towards the front. 1.8m close boarded fencing and shrubbery to the east side. Low hedging to site frontage and to front right side.

SITE CHARACTERISTICS

Detached bungalow, located on a corner site. The dwelling consists of rough rendered walls, with sections of white weather boarding above. Brown tiled roof. Single storey flat roof garage attached to north side.

CHARACTER OF LOCALITY

Residential area. Mill Lane is predominately characterised by two storey detached and semi-detached dwellings. The closest property to the south side of the site is a two storey detached dwelling with 1 no. first floor window (appears secondary window) to north side of the property.

Windmill Drive is predominately characterised by detached bungalows, some of which have dormers and roof lights. Rosmede, to the rear of the application site is a detached bungalow with 1 no. small roof light to front roof slope and 1 no. large flat roof dormer to the rear roof slope.

Orchard Gardens, east of the site is characterised by two storey terraced dwellings.

RELEVANT SITE HISTORY

R/23/71	O/A for demolition of existing property & erection of 1 detached house bungalow or chalet with garage	Approve Cond 19-03-1971
R/263/71	O/A for pair of semi detached houses & garages	Refused

R/264/71

O/A for pair of semi detached bungalows & garages

17-12-1971

Refused

17-12-1971

REPRESENTATIONS

Representations received:

Rustington Parish Council

Objection.

- (i) The proposal to erect three units of accommodation would constitute undesirable intensification of residential development, at a density which would be out of keeping with the existing development in the area, and would most certainly represent over-development of the site;
- (ii) Having regard to the limited area of the site and its relationship to existing residential properties, the proposal would present an over-bearing and unsympathetic appearance to the occupiers of the neighbouring properties to the east and south, which would not only result in a serious loss of privacy, but would also be severely detrimental to their quiet enjoyment and visual amenities;
- (iii) The formation of a new access onto the highway would lead to an increase in the movement of vehicles in a busy through road, which would be detrimental to not only road users, but would adversely affect the privacy and quiet enjoyment of the neighbouring property to the east;
- (iv) The use of a new access to the site would lead to an unacceptable level of disturbance to the property immediately to the east, namely Rosmede, Windmill Drive;
- (v) The proposed development would be likely to attract standing vehicles in Windmill Drive, which would interrupt the free flow of traffic, and thereby add to the hazards of road users at this point;
- (vi) This type of development would, if approved, make it increasingly more difficult for the Local Planning Authority to resist similar proposals in the vicinity, the cumulative effect of which would be to completely alter the character of the locality to the serious detriment of the amenities of the area.

11 Third party letters of Objection (received from 10 different households):

Much development within the surrounding area;
 Where is the Planning application notice?
 Not given enough time to comment on application;
 Do not want more homes built;
 Will lead to loss of light, loss of privacy and overlooking effect;
 Will lead to a noise and vehicle pollution nuisance;
 Houses are 1930's, not 1950's as incorrectly stated in submitted information;
 Traffic is already a problems;
 Concerns over congestion and highways safety.
 Over-development;
 Concerns over effect on services;
 Parking spaces will reduced on site amenity space;
 Will impact on visual character of the area;
 No garages are proposed;
 Design is not in keeping with surrounding buildings;
 Will set a precedent.

Comments on Representations received:

The proposal would involve the demolition of an existing bungalow and the erection of a row of 3 no. terraced dwellings. Parking provision for 6 no. cars has been proposed on site. The Local Planning Authority cannot insist that garages are provided as part of the proposal. County highways have raised no objection to the application, on highway safety grounds. Each application should be dealt with on its own individual merits.

The surrounding area is mixed residential, with many terraced dwellings of a similar scale and form to that currently proposed to Orchard Gardens. Further, it is considered that the site is of a size that can adequately accommodate 3 no. terraced dwellings of the size proposed, that would appear in keeping with the character of the surrounding area.

It is considered that the proposal would not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light.

At the time of a site visit, a site notice was satisfactorily displayed on site. The proposal was also advertised in the

West Sussex Gazette, as required by Government Guidance.

CONSULTATIONS

Head of Highways and Transport

Consultations responses received:

County Highways:

No Objection, subject to suggested conditions.

From an inspection of the plans, alone, there is no apparent visibility issue at the point of access onto Windmill Drive. The new access point is at the rear of the existing property. Visibility for drivers should be taken into account. The applicant should provide visibility splays should also be addressed. Splays of 2 metres by 2 metres ought to be supplied either side of the proposed vehicular access onto Windmill Drive. Due to the quiet nature of the area the development is planned for, I would not foresee there being grounds for concern. I have also checked our most recently available verified accident records, which reveals there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built up Area Boundary
Class 'B' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1 CH1 DEV1 DEV5 NE17 DEV4	Locational Strategy Character High Quality Development Parking Provision Roads Travel Needs and Choices
Arun District Local Plan:	GEN2 GEN7 GEN12	Built-up Area Boundary The Form of New Development Parking in New Development

PLANNING POLICY GUIDANCE

PPS1 PPS3 PPG13	Delivering Sustainable Development Housing Transport
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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 the proposed development would not cause demonstrable harm to the residential amenities of any neighbouring property, not the visual amenities of the locality.

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

The proposal would involve the demolition of an existing bungalow and the erection of a row of 3 no. terraced dwellings. A total of 6 car parking spaces and 6 cycle spaces are proposed as part of the development.

The application site is located within the Built up Area Boundary, where the principle of new development is accepted provided it accords with other development control criteria.

The application site is located within a mixed residential area. Mill Lane is characterised by two storey detached and semi-detached dwellings and Windmill Drive is characterised by detached bungalows and chalet bungalows. In addition, Orchard Gardens is characterised by two storey terraced dwellings, similar in scale, form and design to those currently proposed. It is therefore considered that the proposed dwellings would represent an acceptable form of development, which would appear in keeping with the style and design of neighbouring properties and would not be an obtrusive form of development.

With regard to residential amenity, the application site is bordered by Windmill Drive to the north side and Mill Lane to the west side. Rosmede, to the rear of the application site is a detached bungalow with 1 no. small roof light to front roof slope and 1 no. large flat roof dormer to the rear roof slope. A two storey detached property is located to the south side of the site, with 1 no. first floor window (appears secondary habitable) to the north elevation that would face towards the proposed dwellings. This window is positioned 10m away from the rear elevation of the proposed dwellings and on balance, it is therefore considered that the proposed dwellings would not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light.

Plot sizes within the surrounding area vary greatly between 0.01 and 0.1 hectares, compared with an average plots size of 0.02 hectares for each of the proposed dwellings. It is therefore concluded that the site is of a size that can adequately accommodate 3 no. terraced dwellings of the size proposed, that would appear in keeping with the character of the surrounding area.

The proposed dwellings are considered to be of an appropriate scale, siting and design that would represent an acceptable form of development, which would appear in keeping with the style and design of neighbouring properties and would not be an obtrusive form of development in the street scene. It is concluded that the proposed bungalow would represent an acceptable form of development. In addition, the development is in accordance with Government advice in PPS3, in that it makes efficient use of land.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.

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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings

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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 No development of the site shall commence until the vehicular access serving the proposed dwelling has been constructed in accordance with the plans hereby approved.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 The buildings hereby permitted shall not be occupied until the existing site vehicular access to the site has been stopped up permanently and obliterated. The existing site access shall not be used by construction traffic.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 5 The dwellings hereby approved, shall not be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the dwellings in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 6 The access to the proposed site shall be laid out to provide visibility splay on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These splay shall be 2.2 metres by 2.2 metres at the centre of the proposed site vehicular access onto Windmill Drive.

No other work shall be carried out on the site until the above-mentioned splay areas have been provided and thereafter these said splay areas shall be kept free from any obstruction (over a height of 0.6 metres above adjoining carriageway level).

Reason: In the interests of road safety in accordance with policies DEV1, DEV4 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 7 No development shall take place until details of screen walls and/or fences have

been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 8 This permission relates to the plans as submitted and amended by substitute Block Plan dated 02-05-2008.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

- 9 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 demonstrable harm to the visual or residential amenities on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, CH1, DEV1, DEV4, DEV5, NE17.

LOCAL PLAN: GEN2, GEN7, GEN12.

NATIONAL POLICIES: PPS1, PPS3, PPG13.

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

- 10 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.