# Development Management - Delegated Officer Report

**Application Number: AWDM/1375/18 Recommendation – Approve**

**Site: Cottage, 36 Lesser Foxholes, Shoreham-By-Sea**

**Proposal: Application to vary condition 1 of previously approved AWDM/1311/17. Amendment: minor material changes to position of bungalow to north of site.**

**Date of site visit: 21 September 2018**

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

This application relates to an ongoing development at 36 Lesser Foxholes for the construction of two houses and one bungalow. It has been discovered that the bungalow has been built 186mm closer to the Northern boundary with No.30. As approved the NE corner of the bungalow was shown as being 841mm from the N boundary; as built it is 655mm. The bungalow has also shifted slightly to the east (rear).

Following discussions with the most affected neighbours at Nos 30 and 32 Lesser Foxholes, additional plans have been submitted which show enhanced landscaping and screening proposals for the boundary with those properties. It is proposed to erect a new 2.4m high hit and miss panel fence with trellis to encourage climbing plants. On the bungalow itself, new planting is proposed on a 3m high trellis affixed to the gables.

**Relevant Planning History**

AWDM/1948/16 - Demolition of existing buildings. Construction of three dwellings; comprising a pair of detached houses and a detached bungalow and associated landscaping and parking - approved

AWDM/1311/17 - Application for variation of condition 1 of AWDM/1948/16. Amendments to buildings include increased ground floor footprint of dwellinghouses; front to North House, corner infill to bungalow, side to South House. Revised fenestration and doors and exterior materials and finishes with contemporary styling and colour palette (no change to overall number of windows at first floor and still serving bathrooms); add chimneys to houses and front covered walkway to link buildings. Amendment to site layout including alteration and re-configuration of parking with 1 additional formalised space, amended cycle and bin storage and new planting beds - approved

**Consultations**

None

## Representations

1 letter received from the occupier of 30 Lesser Foxholes:

- Clarifying proposed works and description
- Is there an established right of way to existing gate/steps down slope?
- Has No.36 purchased Highways Authority land below the West boundary or have the developers made some access arrangements to this land?
- What covenants enable a gate access between a boundary?

## Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 13, 15, 18, 20, 22, 28, 34, 35 and 36 'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
National Planning Policy Framework (July 2018)
Technical Housing Standards – nationally described space standard (DCLG 2015)

## Planning Assessment

### Principle

Demolition of the existing buildings and the effective and efficient residential redevelopment of the site were accepted in planning permission AWDM/1948/16, making a modest contribution to family housing stock in the district.

The consideration here is the impact of the amended siting on the visual and residential amenities of the locality.

### Visual amenity

There is no change to the form or appearance of the buildings and the minor change to the position of the bungalow does not have a material visual impact.

### Residential amenity

The neighbours principally impacted upon are Nos. 30 and 32 Lesser Foxholes which are situated on higher ground to the north east of the bungalow.

The relationships between buildings and separation distances involved were deemed acceptable in the previous permission. The change to the setting out of the bungalow does bring it closer to the boundary so that it is only 0.655m from the boundary with No.30. While the distance to the boundary is tight, it must be considered in the context of the original permission which sited the bungalow 0.862m from the boundary. The difference between these two measurements is considered to be sufficiently minor as to not result in any increased harm to the amenities of the neighbouring occupiers.

The proposed landscaping proposals will help to soften the impact of the new development as well as screen the building and side windows, in order to reduce any overlooking or loss of privacy.

**Other Matter**

The plans also show a garden path for the bungalow leading to existing gate/steps at the rear of the property. This is not development that requires planning permission and any dispute about rights of way and land ownership is a civil matter only.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans

   Plus reimposition of previous conditions attached to AWDM/1311/17

**Is recommendation contrary to letter(s) of representation? N**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 7 March 2019

Authorised by: Gary Peck Date: 7 March 2019