Development Control – Delegated Officer Report

Application Number: AWDM/1437/15 **Recommendation – Approve**

Site: **125 Brighton Road**

Proposal: **Application for removal of condition 3 of AWDM/0961/15 to reduce the impermeable area to 90 sqm**

Date of site visit:

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site is a plot of land elevated from the coast road (A259). The approved proposal consisted of the demolition of No. 125 and the construction of a new detached two-storey 4 bed dwelling.

Permission was subject to condition 3 requiring details of the disposal of surface water to comply with saved Adur District Local Plan policy AP4. The proposal seeks removal of this condition.

Relevant site history
AWDM/0961/15
DEMOLITION OF EXISTING HOUSE, GARAGE AND OUTBUILDING AND CONSTRUCTION OF 2-STOREY 4 BEDROOM HOUSE AND PROVISION OF 3 CAR PARKING SPACES
A/C 25/08/2015

Consultations (summarised)
Lancing Parish Council: *No objections*

Relevant Planning Policies
Local Plan (saved policies): AG1, AG3, AP4, AH2, AH5, AH6, AH7
Development Control Standard No. 2 'Space around New dwellings and flats'
Good Practice Guidance Note Internal Space Standards for New Homes
National Planning Policy Framework

Planning Assessment

Principle, visual amenity and townscape qualities, residential amenity – future occupiers and neighbours, flood risk, parking and accessibility

The principle and the above amenity issues were addressed in the earlier planning approval - and no adverse harm was considered to result. It is not the purpose of this application to revisit this previous decision.

Drainage

Condition 3 requires detail of the intended disposal of surface water to be agreed by the Council (including soakage tests).

The condition was requested by the Council's Engineers as the application submission did not demonstrate that the existing soakaways had the capacity to dispose of surface water generated by the proposal.

The applicant argues the proposal reduces the extent of impermeable drained area on the site (from some 121 square metres to 90 square metres), so reducing the surface water load entering into the existing soakaways - therefore these can cope, and no additional drainage works is required.

It is also argued this condition does not satisfy the policy test of Adur Saved Local Plan AP4 in that this policy only applies to cases of inland flooding due to increased surface water run-off. This would not apply as the water can be drained to an existing system, so there is no increased run-off as a result of the proposal.

Verbally, the Engineers have accepted this argument. With reliance on the existing soakaways to ensure no increase in surface water run-off, there is no policy requirement on which to hang a request for further detail – and the condition should accordingly be removed.

Recommendation

APPROVE

Subject to Conditions:-

01. 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.*

02. The development hereby permitted shall be carried out in accordance with the following approved plans:-

Drawing titled 125, Brighton Road, Lancing BN15 8HT date valid 07-07-2015
Drawing No. 2364/02 Rev A titled Proposed New house date valid 07-07-2015

Reason: *For the avoidance of doubt and in the interests of proper planning.*

03. No construction work shall be carried out on site unless and until provision has been made in accordance with details approved by the Local Planning Authority for temporary parking and loading/unloading of all contractors' vehicles, and for contractors' buildings, plant, and stacks of materials.

Such provision shall be retained and used for the purpose specified in the approved details throughout the period of work on the site with all vehicles, plant and materials kept within the areas so approved.

Reason: *In the interests of highway safety and amenity in accordance with the relevant policies of the National Planning Policy Framework.*

04. No construction of the dwellinghouse shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the dwellinghouse building hereby approved has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason: *In the interests of visual amenity and to comply with saved policy AH2 of the Adur District Local Plan.*

05. The dwellinghouse building hereby permitted shall not be occupied until the parking and turning spaces and access facilities have been provided in accordance with the approved plans. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the premises concerned.

Reason: *In the interests of amenity and highway safety and having regard to relevant policies of The National Planning Policy Framework.*

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), the dwellinghouse building hereby permitted shall not be extended or altered externally or any incidental building over 5 cubic metres in volume erected within its curtilage.

Reason: *In the interests of amenity and the environment and to comply with saved policy AH2 of the Adur District Local Plan.*

07. The first floor windows in the east and west side elevations of the dwellinghouse hereby permitted shall be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

Reason: *To prevent overlooking and to comply with saved policy AH7 of the Adur District Local Plan.*

Informatives

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The applicant is advised they will need to apply to the Council's Environmental Health department for demolition notice under Building Act 1984. They will need party wall agreement with neighbouring property and hopefully they will agree hours of demolition and any other dust controls and clean up through this process

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

Case Officer: Matthew Porter Date: 06-11-2015

Authorised by: Peter Barnett Date: 6 November 2015