Expiry Date -

Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0026/13

Site: **Old Salts Nursery, Old Salts Farm Road, Lancing**

Proposal: **Renewal of extant planning permission ADC/0027/10 for demolition of existing bungalow and erection of a detached 4 bed two-storey house**

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal is for a renewal of extant planning permission ADC/0027/10. This approved the demolition of an existing bungalow and its replacement with a 4 bed two-storey house. This will measure 8 metres in height, 10 metres in length, and 15 metres in width

The application site lies in countryside (outside of the built-up area boundary) between the urban areas of Shoreham-by-Sea and Lancing.

It consists of a detached dwellinghouse (a bungalow) with sheds, detached garage building, and a mobile home. Beyond its immediate residential garden curtilage are paddocks with stables.

Relevant Planning History

ADC/0027/10
Demolition of existing bungalow and erection of a detached 4-bedroom house
Granted Consent 11.03.2010

Consultations

Environment Agency:

The proposed development will only be acceptable if the following measure as detailed in the Flood Risk Assessment (FRA) section of the Design and Access Statement (DAS) stamped received 02 Feb 2010 (paras 13.0 - 13.8) submitted with ADC/0027/10 is implemented and secured by way of a planning condition on any planning permission. Planning Condition: The development permitted by this planning permission shall only be carried out in accordance with the approved FRA and the following mitigation measures detailed within the FRA

- *Finished floor levels shall be set no lower than 5.1mAOD*

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Lancing Parish Council: *No objections*

West Sussex County Council Highways:

West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. ADC/0027/10 to which no highway objections were raised.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

As this is an application to extend the implementation period of the permission, and given that there has been no evidence submitted to the contrary of WSCC's previous advice, WSCC's position remains with no highway objection to this application.

Worthing & Adur Councils: The **Environmental Health** officer *requests precautionary contamination condition*

Representations
None

Relevant Planning Policies and Guidance

South East Plan: SP3, SP4, CC1, CC4, CC6, H1, H4, H6, T4, BE1, C4, C5, SCT5, NRM4
Saved Adur Local Plan: AG1, AC1, AC10, AC15, AH11

Planning Assessment

Principle

The South East Plan and Saved Adur Local Plan policies (the current development plan) continue to have the same weight as the earlier decision. The emerging Adur Local Plan has progressed but it is of limited weight.

The mobile home is not authorised. Outside of the built-up area boundary, the site is not acceptable for such permanent residential development. However the applicant intends to live in it while building his replacement home. It is prudent to re-impose the condition ensuring this mobile home is removed upon occupation.

Visual amenity, character and appearance

The replacement dwelling is of a large prominent scale in an open exposed landscape, and it exhibits a modern "executive" style and design.

As the environment has not lessened in its quality, it continues to be prudent to re-impose the condition restricting permitted development rights for outbuildings and to

secure soft/hard landscaping to help screen the development (several trees south of the new houses have been felled since the earlier approval).

Given this circumstance, no visual harm would arise on the character and appearance of the rural locality and the integrity of the surrounding rural landscape would remain intact.

Residential amenity

Neighbours continue to be sufficiently removed to avoid harm to their living conditions.

The room standards of the new house would comply with the Council's adopted room and garden space standards.

Access and Parking

Use of the highway and parking provision would of no greater intensity than what was previously deemed acceptable. The highway safety situation is not materially different from that earlier decision.

Contaminated Land

The site is not contaminated so an informative would suffice to raise the applicant's awareness of this risk

Flood Risk

The application is accompanied by a Flood Risk Assessment even though the site is a "dry island" outside of any flood risk zone. The suggested finish floor level is a sensible precautionary measure to avoid potential future flood risk. It is supported by the Environment Agency. With this measure, no materially harmful exacerbation of flood risk would occur.

Recommendation

APPROVE for the reason:-

The proposed development is outside of the built-up area and would help meet the need for a housing demand associated with a countryside activity without significant detraction from the existing open rural landscape and wider environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant 'saved' policies of the Adur Local Plan (AC1, AC10, AC15, AH11) and the South East Plan policies SP3, SP4, CC1, CC4, CC6, H1, H4, H6, T4, BE1, C4, C5, SCT5, NRM4

Subject to Conditions:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

{\b Reason}: {\i To comply with Section 91 of the Town and Country Planning Act 1990.}

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 0947-203B titled Proposed Site Plan date valid 11-01-2013
Drawing No. 0947-404D titled Proposal Elevation date valid 11-01-2013
Drawing No. 201 titled Location Plan date valid 11-01-2013

{\b Reason}: {\i For the avoidance of doubt and in the interests of proper planning.}

3) No development shall be carried out unless and until a schedule of materials/finishes and samples to be used for the external walls and roof of the building hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved schedule.

{\b Reason}: {\i In the interests of amenity and to safeguard the local distinctiveness of this sensitive rural locality and the environment having regard to saved policy AH2 of the Adur District Local Plan.}

4) Floor levels details to be agreed.

5) No development shall commence unless and until elevations at a scale of 1:50 and architectural details at a scale not less than 1:20 have been submitted to and approved in writing by the Local Planning Authority. These architectural details shall include:-

(a) all external doors and windows,
(b) dormers/half dormers,
(c) rooflight windows,
(d) all walls, gates and fences,
(e) chimneys,
(f) dentil course, eaves and bargeboards,
(g) roofs and hips,
(i) porches/porticos.

The development shall not be built other than in full accordance with any such approved details and shall be retained thereafter.

{\b Reason}: {\i In the interests of amenity and to safeguard the local distinctiveness of this sensitive rural locality and the environment having regard to saved policies AH2 of the Adur District Local Plan.}

6) The development hereby permitted shall only be carried out in strict accordance with the approved Flood Risk Assessment approved in planning approval ADC/0027/10 and the mitigation measures contained within it, whereby the internal finished floor levels of the dwellinghouse building shall be set no lower than 5.1m AOD (above ordnance datum).

{\b Reason}: {\i To reduce the risk of flooding to the proposed development and future occupants, and to comply with policy NRM4 of The South East Plan.}

7)No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, to include protection measures for the retention of the existing trees to the south of the dwellinghouse hereby permitted and details of the permeable/porous construction of any hardstanding. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of hard landscaping shall be completed prior to occupation of the dwellinghouse building.

{\b Reason}: {\i In the interests of amenity and to safeguard the local distinctiveness of this sensitive rural locality and the environment having regard to saved policy AH2 of the Adur District Local Plan.}

8) Within one month of occupation of the dwelling hereby permitted the mobile home sited to the north boundary of the site at the date of this permission shall be removed from the site permanently and the land restored to a condition to be agreed in writing by the Local Planning Authority.

{\b Reason}: {\i.} The site lies within the countryside where permanent residential mobile home development unrelated to the essential needs of the countryside would not normally be permitted and to comply with saved policy AC1 of the Adur District Local Plan.

9) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E of Part 1 of the Schedule to that Order.

{\b Reason}: {\i In the interests of amenity and the environment having regard to the nature of the site and saved policy AH2 of the Adur District Local Plan.}

10) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking

and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of the dwellinghouse hereby permitted forward of any external wall of that building.

{\b Reason}: {\i In the interests of amenity and to safeguard the local distinctiveness of this sensitive rural locality and the environment having regard to saved policy AC1 of the Adur District Local Plan.}

Informative

If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented

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.

Is recommendation contrary to any representations? N

Case Officer signed: Matthew Porter Date: 6-01-2013

Authorised and signed by: Peter Barnett Date: 13 February 2013