



**ADUR DISTRICT  
COUNCIL**

**Planning Committee  
4<sup>th</sup> June 2018**

**Ward: ALL**

**Key Decision: Yes / No**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0567/18                      Recommendation – APPROVE**

**Site:                      Land North Of 1 Swallows Close, Lancing**

**Proposal:      Proposed 2no. three bedroom detached chalet bungalows  
with detached garages**

**2**

**Application Number: AWDM/0472/18                      Recommendation – APPROVE**

**Site:                      6 Caron Close, Lancing**

**Proposal:      Proposed single storey side extension to north elevation**

Application Number: AWDM/0567/18

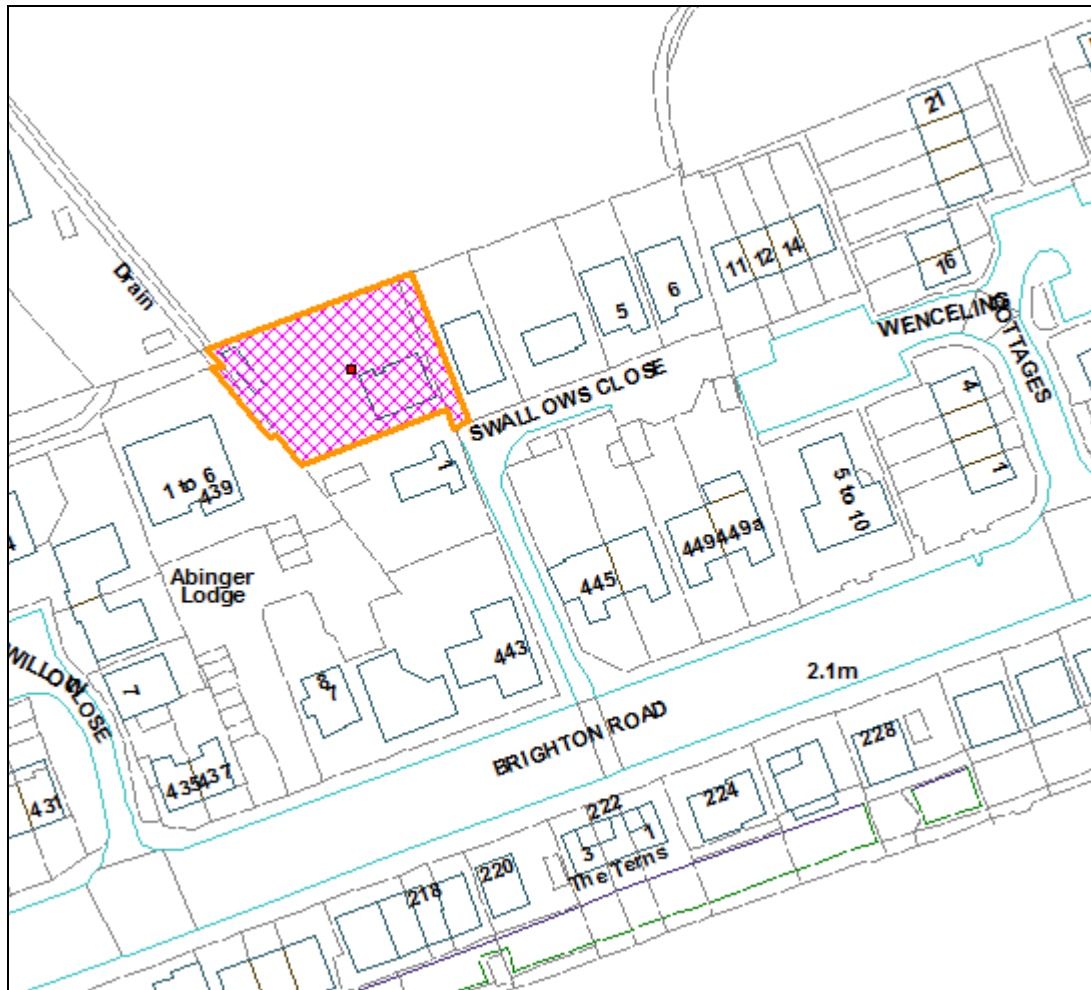
Recommendation – APPROVE

Site: Land North Of 1 Swallows Close, Lancing

Proposal: Proposed 2no. three bedroom detached chalet bungalows with detached garages

Applicant: Renovate and Extend Ltd  
Case Officer: Peter Barnett

Ward: Widewater



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### Proposal, Site and Surroundings

The site formerly contained a 2 bedroom bungalow which was demolished in 2014 due to its poor state of repair. The site is located in the north west corner of Swallows Close and is the largest plot in the Close. No.3 Swallows Close is a chalet bungalow

to the east, No. 1 Swallows Close is a bungalow to the south. There is an open field to the north and a 2 storey block of flats to the west.

Outline permission was granted early 2016 for the erection of a bungalow on the plot. Appearance and landscaping were reserved for future consideration but the submitted plans indicated a 4 bed T-shaped chalet bungalow located at the east side of the plot, 8.1m high.

This application seeks full planning permission to construct two detached three bedroom chalet bungalows, each with a detached garage. The dwellings will have bedrooms on the upper floor within the roof space, served by front and rear dormer windows. The dwellings are shown as being 6.87m high with the first floor level at 5.405m AOD. The garage to the eastern plot will be to the east of the dwelling, avoiding a right of way that exists running north-south on the eastern boundary with 3 Swallows Close. The garage to the western plot will be positioned in front of the dwelling, adjacent to the southern boundary with 1 Swallows Close.

The application has been called in for consideration by the Planning Committee by Councillor Monk.

### **Relevant Planning History**

AWDM/1690/15 - Construction of 4 bedroom detached chalet style dwelling in place of previously demolished dwelling (outline application including details of access, layout and scale with all other matters reserved) – approved with a condition requiring the maximum ridge height to be 8.1m

AWDM/1604/16 - 2 no. 4 bedroom detached chalet style dwellings each with single garage to replace previously demolished dwelling - withdrawn

AWDM/1651/17 - Construction of 3 no. 3 bedroom, 3 storey terraced houses with integral garages – application refused for the following reasons:

- 1. The proposal, by reason of its scale, form, design and height, would result in dominant and overbearing buildings which would be out of keeping with the prevailing character and form of development in the area to the detriment of the visual amenities of the locality. The proposal would therefore conflict with policies 15 and 20 of the Adur Local Plan 2017, Supplementary Planning Guidance: Development Management Standard No.2 and the relevant paragraphs of the National Planning Policy Framework relating to good design.*
- 2. The proposal, by reason of its height, bulk, scale, orientation and position on the site, would be a dominant and overbearing form of development, resulting in harm to the residential amenities of the neighbouring occupiers. The proposal would therefore conflict with policies 15 and 20 of the Adur Local Plan 2017, Supplementary Planning Guidance: Development Management Standard No.2 and the relevant paragraphs of the National Planning Policy Framework relating to sustainable development.*

## Consultations

**West Sussex County Council:** The **Highway** Officer has no objections subject to conditions to secure car and cycle parking and details of construction plant and materials storage. Access will be via the existing point from the privately maintained Swallows Close. There are no highway grounds to resist the application.

**Adur & Worthing Councils:** The **Environmental Health Officer** advises that as this site is in very close proximity to existing residential dwellings she has concerns about the resulting noise and dust associated with the demolition and construction works. She therefore recommends the following conditions.

All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times:-

Monday Friday 08:00 18:00 Hours

Saturday 09:00 13:00 Hours

Sundays and Bank Holidays no work permitted.

Construction work shall not commence until a scheme for the protection of the existing neighbouring properties from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development.

She also recommends that no burning is allowed on site during the development. There have been a history of complaints of waste being burnt on the site and as the site is close to residential properties any burning is likely to cause a problem to neighbouring residents.

There are no objections from the **Private Sector Housing Officer**.

The **Waste Services** Officer advises that these properties can have a standard collection service although the bins will have to be placed at the entrance where it meets the public highway. We will not come on to the properties to collect the bins.

The **Engineer** has no objection subject to condition:

No development approved by this permission shall commence until soakage tests are undertaken on the property in the locations shown on the submitted drawing and the results used to appropriately size the soakaways required, the details of which should be forwarded to the Council for approval.

**Environment Agency:** We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (November 2017) and the following mitigation measures detailed within the FRA:

- Finished floor levels for the first floor are set no lower than 5.405 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

***Southern Water:*** Recommends informatives relating to sewers. Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

***Lancing Parish Council:*** Objects on the grounds of overdevelopment of the site, the proposal is not in keeping with the area, concerns in respect of flooding to the proposed and neighbouring properties, and that the access point is not sufficient to service two properties. It was also agreed that the proposal should be considered by Adur's Planning Committee and Cllr Monk would arrange for the application to be called in.

Please note, whilst the Committee resolved to object to the proposal, discussion led the Committee to agree that it would be minded to support an application of a proposed development of only one property on the site, as previously submitted.

## **Representations**

6 letters of objection received from the occupiers of 1 (2 letters), 4, 5, 6 Swallows Close, 449A Brighton Road:

- Overdevelopment
- Too many separate buildings needing concrete footings adding to the potential flood risk and affecting adjoining properties
- Doubt if soakaways would be able to cope with heavy rain and the already present ground water
- Original planning consent was for one property only, the height and style to be in keeping with the other properties in Swallows Close
- Narrow access between 1 and 3 Swallows Close is only suitable for one property
- If two properties were allowed then access and parking problems will affect adjoining properties and ultimately the other residents in Swallows Close.
- Increased traffic congestion
- Ground floor layout shows a study which could easily become a bedroom in the future

- May be an improvement if garages were integral, like at Nos 3, 5 and 6 Swallows Close
- Damage to wildlife
- Loss of property value

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 2, 3, 15, 18, 20, 22, 34, 35, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'

National Planning Policy Framework (March 2012)

Technical Housing Standards – nationally described space standard (DCLG 2015)

### **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Planning Assessment**

#### ***Principle***

The proposal would add to the housing stock, is located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the site and its surroundings, parking/access and flood risk.

#### ***Density, character and appearance***

The proposed dwellings would be 6.87m high which is 3m lower than the previous scheme for terraced housing and 1.2m lower than the ridge height specified in the outline permission AWDM/1690/15. In terms of scale and height, the dwellings would be similar to the height of 3 Swallows Close to the east, which is approximately 6.5m high. They will have a different form, having a hipped roof with gables at the sides rather than the front facing gable of 3, 5 and 6 Swallows Close. However, 1 and 4 Swallows Close also have a different form, being more traditional bungalows. Furthermore, the site is not widely visible, being set back from Brighton Road by more than 50m and hidden from the approach along Swallows Close by virtue of being positioned to the north west of the access road, beyond No.1.

The design of the dwellings is not of especial merit but they are considered to respect the form and character of many dwellings in the area, including those to further north

west in Orient Road. They are reasonably well positioned within the site and leave adequate space between the edge of the buildings and the boundaries of the site to avoid appearing cramped.

### ***Residential amenity – for proposed dwellings***

The proposed dwellings have a floor area of approximately 125sqm which comfortably exceeds the minimum national housing standards for a 3 bedroom, 5 person house. Individual bedrooms also meet the relevant standards.

Externally, the rear gardens are short at 6m depth, but the overall area of amenity space meets the 100sqm required for a detached dwelling over 120sqm. There is an open field with no dwellings to the rear so the shorter garden depth does not result in any loss of amenity.

### ***Residential amenity – effect on existing dwellings***

The distance between the side of the westernmost dwelling and the side of Abinger Lodge, a two storey block of flats to the west is 10m which is considered to be sufficient to prevent any harmful loss of light or outlook. No windows are proposed for the side of the dwelling other than a high level lounge window on the ground floor.

The garage to this unit will be positioned adjacent to the boundary with 1 Swallows Close to the south. That property is a bungalow which has its own garage adjacent to the site boundary. There are also a number of conifer trees within the curtilage of No.1 which will help to screen the new dwellings, which will be 13m from the front of the westernmost unit. It is not considered that No.1 will be adversely affected by the proposed development.

To the east, a distance of just 7m will remain between the dwelling and the boundary with 3 Swallows Close. The detached garage will sit between the dwellings at a height of 3.7m and within 3m of the boundary. The garage will obscure the ground floor windows serving a WC and utility room on the east side of the proposed dwelling, which will be obscure glazed in any case. The layout and design of the dwellings is not considered to cause harm to the amenities of any neighbouring occupiers.

Vehicular movements to the dwellings plus other activity associated with a dwelling will cause some disturbance but not at a scale or frequency that it likely to result in a loss of residential amenity.

### ***Accessibility and parking***

The dwellings will each have a detached garage and the site will be accessed from the existing access point off Swallows Close, a private road. The additional dwelling on the site is not expected to generate levels of traffic likely to cause a severe highway impact and there are not considered to be any sustainable reasons to object to the proposal on highway grounds.

## ***Flood risk and Drainage***

The site lies within Flood Zone 3 where there is a high probability of flooding. In order to overcome flood risk, the development does not include any bedroom accommodation on the ground floor. The submitted Flood Risk Assessment (FRA) advises that the site slopes slightly and the dwellings are to be sited on the higher ground at a height of 2.04m AOD. The 1 in 200 year tidal flood level, including an allowance for climate change, is 5.35m AOD. The proposed dwellings will therefore have a first floor level of 3.365m above ground level, making it 5.405m AOD and therefore above the predicted flood level and ensuring that occupants can take refuge at first floor during a flood event. The FRA also states that Aquobex flood safety doors are to be installed to all ground floor entrances, along with other flood resilience measures to be incorporated within the dwellings.

The Environment Agency has no objection to the development on flood risk grounds, subject to it being built in accordance with the FRA.

With regard to surface water drainage, the Council's Engineer has no objection to the proposal following receipt of a revised plan showing the position of four soakaways on the site and confirmation that the driveways are to be constructed of permeable tarmac with a type 3 MOT base. He has requested a condition requiring soakage tests to be carried out before development commences.

Subject to these details, there are no objections to the development on the grounds of increased flood risk to surrounding properties.

## **Recommendation**

### **APPROVE**

#### **Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. Materials
4. No future extensions or alterations
5. Car parking
6. Cycle parking
7. Construction Management Plan
8. To be constructed in accordance with FRA
9. Soakage tests to be carried out prior to development commencing
10. Landscaping and boundary treatment details required
11. Fencing details
12. Hours of work
13. No burning on site



**Application Number: AWDM/0472/18**

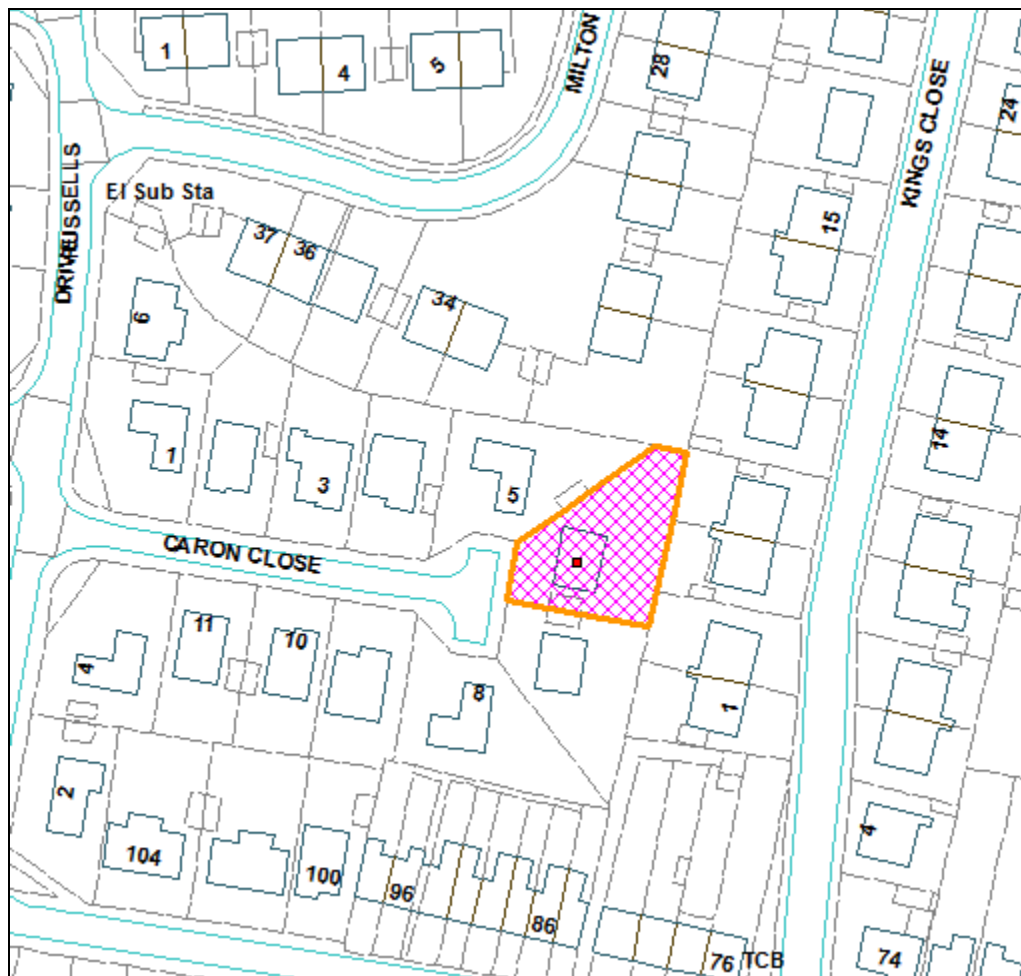
**Recommendation – APPROVE**

**Site: 6 Caron Close, Lancing**

**Proposal: Proposed single storey side extension to north elevation**

Applicant: Mr P Beresford  
Case Officer: Peter Barnett

Ward: Widewater



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### **Proposal, Site and Surroundings**

The application relates to a detached chalet bungalow at the end of a cul de sac. It is proposed to construct a flat roofed single storey extension to the north side of the dwelling measuring 3m wide at its widest point towards the rear and 1.3m wide towards the front. It will be set back 2.2m from the front wall of the property. It will have a raised roof lantern to an overall height of 3.2m and will be higher than the eaves of the existing property (hence the need for permission). There is an existing

car port to the north side which will be replaced (which does not require planning permission) and the extension will fill the space between the car port and the house. It will be finished using matching materials.

The applicant is an elected Member of Adur District Council.

### **Consultations**

***Lancing Parish Council:*** No objection

### **Representations**

None received

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 15

'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (March 2012)

### **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Planning Assessment**

#### ***Principle***

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

#### ***Visual amenity***

The extension, being set back from the front, will have minimal visual impact upon the street scene. It will sit against the gable end of the chalet bungalow and will not detract from the existing character or appearance of the building.

### ***Residential amenity***

The extension will not cause harm to the amenities of neighbouring residents. No.5 to the north east is positioned perpendicular to the site and the separation distance together with the existing car port and garage on the boundary ensures there will be no impact. All other neighbours are a sufficient distance away to not be affected by the proposal.

### **Recommendation**

#### **APPROVE**

#### **Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. External materials to match existing

4<sup>th</sup> June 2018

**Local Government Act 1972**  
**Background Papers:**

As referred to in individual application reports

**Contact Officers:**

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## **Schedule of other matters**

### **1.0 Council Priority**

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
  - to promote a clean, green and sustainable environment
  - to support and improve the local economy
  - to work in partnerships to promote health and wellbeing in our communities
  - to ensure value for money and low Council Tax

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

### **7.0 Reputation**

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

### **8.0 Consultations**

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

### **9.0 Risk Assessment**

- 9.1 As referred to in individual application reports.

## **10.0 Health & Safety Issues**

10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Matter considered and no issues identified.

## **13.0 Legal**

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

## **14.0 Financial implications**

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.