

MID SUSSEX DISTRICT COUNCIL

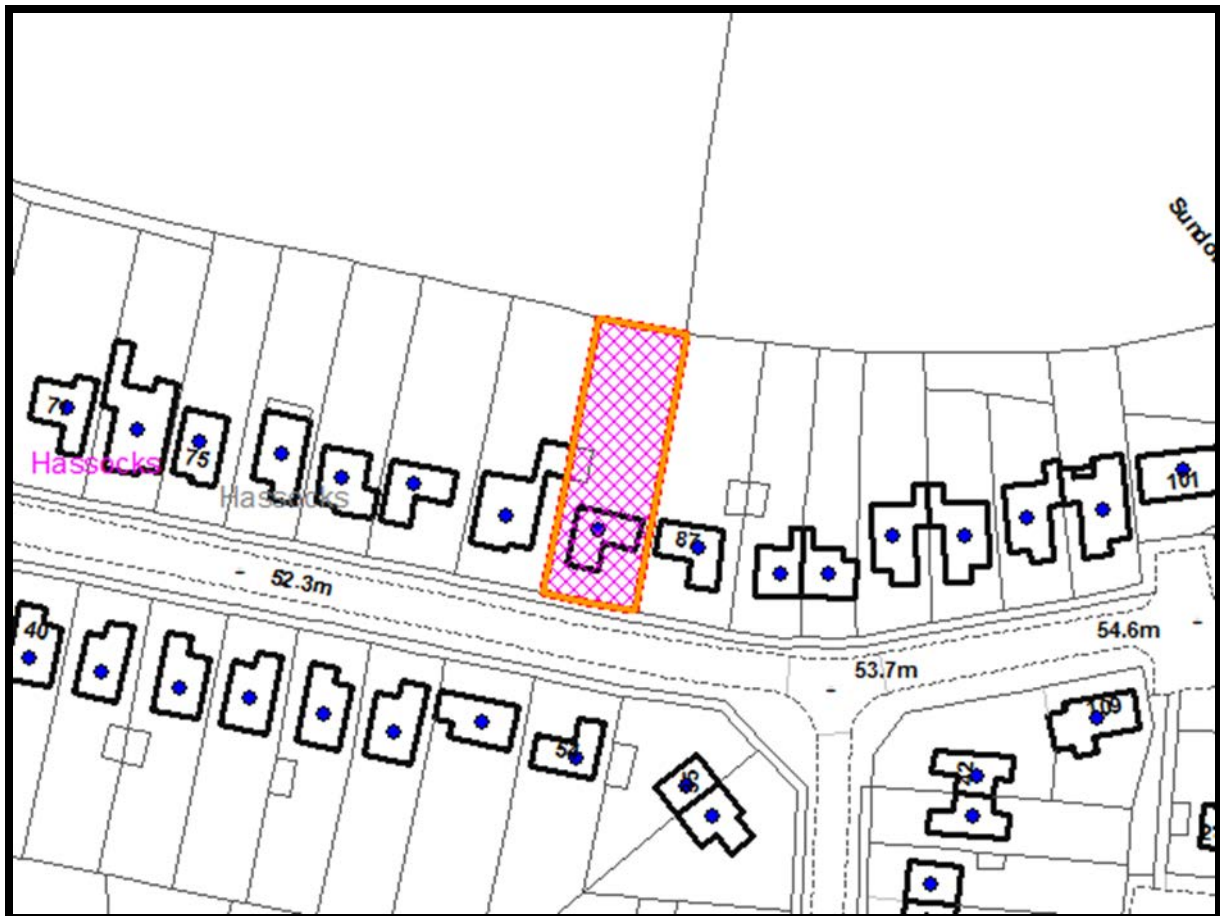
Planning Committee B

25 OCT 2018

RECOMMENDED FOR PERMISSION

Hassocks

1. DM/18/3584



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**85 MACKIE AVENUE HASSOCKS WEST SUSSEX BN6 8NJ
TO ERECT AND INSTALL A 7.45M WIDE BY 3.36M SINGLE STOREY
GLASS ROOF VERANDA ONTO THE REAR ELEVATION.
GORDON AND DENISE MARPLES**

POLICY: Areas of Special Control for Adverts / Built Up Areas / Countryside
Area of Dev. Restraint / Aerodrome Safeguarding (CAA) / Tree
Preservation Order Points /

ODPM CODE: Householder

8 WEEK DATE: 29th October 2018

WARD MEMBERS: Cllr Gordon Marples / Cllr Michelle Binks / Cllr Sue Hatton /

CASE OFFICER: Deborah Lynn

Purpose of Report

To consider the recommendation of the Divisional Lead, Planning and Economy on the application for planning permission as detailed above.

Executive Summary

This application seeks planning permission to erect a verandah to the rear of no. 85 Mackie Avenue.

The application is before committee as the applicant, Mr Gordon Marples, is an elected Member for Mid Sussex District Council.

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

The proposed verandah is deemed acceptable in terms of design and scale and should not detract from the appearance of the dwelling or character of the area. Nor is the proposal considered to cause harm to neighbouring residential amenities.

The proposal is therefore deemed to comply with policy DP26 of the Mid Sussex District Plan 2014-2031 and policy 8 of the Hassocks Neighbourhood Plan, as well as the broader requirements of the NPPF.

Planning permission should therefore be granted.

Recommendation

It is recommended that permission be granted subject to the conditions listed at Appendix A.

Summary of Consultations

(Full responses from Consultees are included at the end of this report as Appendix B)

Summary of Representations

No representations have been received.

Parish Council Observations

Hassocks parish council recommend approval.

Introduction

This application seeks planning permission to erect a verandah to the rear of no. 85 Mackie Avenue.

This application has been brought to committee to be determined as the applicant, Mr Gordon Marples, is an elected Member for Mid Sussex District Council.

Relevant Planning History

13/00268/FUL - Planning permission was granted on the 25.03.2013 for the addition of a porch and single storey rear extension. Demolition and replacement of garage with attached link incorporating utility room. Additional roof lights and alterations to the fenestration.

Site And Surroundings

No. 85 Mackie Avenue is a detached bungalow situated within a row of similar properties within the built up area of Hassocks. The property has been extended to the rear with a single storey extension and attached garage, granted planning permission in 2013. The property benefits from a long driveway to the west and a good sized garden to the rear (north), with fields beyond.

Application Details

Plans show that a verandah is proposed to the rear of the dwelling; this will project 3.36 metres from the rear wall of the bungalow and will measure 7.45 metres wide by 2.72 metres high. The structure will be constructed from a powder coated aluminium frame finished in white, with a glass roof and will be inset approximately 1 metre from the eastern boundary with no. 87. The structure will adjoin the bungalow to the south and west and will have open sides to the north and east, providing a covered area to the existing patio.

List of POLICIES

Mid Sussex District Plan 2014-2031

The District Plan was formerly adopted on the 28th March 2018.

DP26 character and design

Hassocks Neighbourhood Plan

Hassocks Parish Council submitted the Regulation 16 Submission version Neighbourhood Plan in June 2016. The Hassocks Neighbourhood Plan is still emerging and is not a "made" plan. It does not therefore form part of the development plan and can only attract limited weight in the determination of planning applications.

8 character and design

National Policy

National Planning Policy Framework (NPPF - 2018)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives economic, social and environmental. This means ensuring sufficient land of the right types is available in the right places and at the right time to support growth; supporting strong, vibrant and healthy communities by ensuring a sufficient number and range of homes can be provided; fostering a well-designed and safe built environment; and contributing to protecting and enhancing the natural, built and historic environment; and using natural resources prudently.

Paragraph 47 states: "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."

National Planning Policy Guidance

Assessment

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

The main issues considered relevant to this application are the proposed design and impact on the character of the area and impact on neighbouring residential amenity.

Impact on the Character of the Area

One of the key issues is the design and the subsequent visual impact on the character of the area. The newly published NPPF makes reference to the importance of good design at para 127 which states in part that:

"Planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping."*

Such requirements are similar to those found at district level within DP26 which states in part that:

"All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;"*

This stance is also reflected under policy 8 of the Hassocks Neighbourhood Plan.

The proposed structure is modest in size and is considered appropriate in terms of design and scale to the existing dwelling. As the verandah is sited to the rear of the bungalow, it should have limited visual impact upon the character of the area, being obscured from views from Mackie Avenue. As such, the structure is deemed in keeping with the character of the existing dwelling and surrounding properties and should not detract from the character of the area, thereby according with policy DP26 of the District Plan and policy 8 of the Neighbourhood Plan.

Impact on neighbouring amenities

Policy DP26 of the District Plan also relates to amenity and states that:

"All applicants will be required to demonstrate that development ... does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)."

This stance is re-iterated under policy 8 of the Neighbourhood Plan which states that:

"Development proposals will be supported where the character and design:

... 6. Does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security;"

The proposed verandah should not impact upon neighbouring amenities to the west, being screened from no. 83 by the existing bungalow. To the east, the boundary with no. 87 is lined with a 1.8 metre high fence and so just the roof of the structure will be visible above the fence. As the veranda will be open sided, the proposal is considered to have very limited impact upon adjoining amenities at no. 87 and is not considered to result in additional noise and disturbance being created, taking into account the existing patio area to the rear.

As such, the proposal is not considered to be harmful to neighbouring amenities, thereby according with policy DP26 of the District Plan and policy 8 of the Neighbourhood Plan.

Planning balance and conclusions

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

The proposed verandah is deemed acceptable in terms of design and scale and should not detract from the appearance of the dwelling or character of the area. Nor is the proposal considered to cause harm to neighbouring residential amenities.

The proposal is therefore deemed to comply with policy DP26 of the Mid Sussex District Plan 2014-2031 and policy 8 of the Hassocks Neighbourhood Plan, as well as the broader requirements of the NPPF.

Planning permission should therefore be granted.

APPENDIX A – RECOMMENDED CONDITIONS

Time Limit

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, 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.

2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	cr93.01		29.08.2018
Block Plan	cr93.02		29.08.2018
Existing Floor Plans	cr93.03		29.09.2018
Existing Roof Plan	cr93.03		29.09.2018
Proposed Floor Plans	cr93.04		29.09.2018
Proposed Roof Plan	cr93.04		29.09.2018
Existing and Proposed Elevations	cr93.05		29.09.2018

APPENDIX B – CONSULTATIONS

Parish Consultation

RECOMMEND APPROVAL