



Committee Manager : Carrie O'Connor (Ext 37614)

21st December 2010

DEVELOPMENT CONTROL COMMITTEE

A meeting of this Committee will be held in the **Council Chamber** at the Arun Civic Centre, Maltravers Road, Littlehampton on **WEDNESDAY 12TH JANUARY 2011 at 2.30 p.m.** and you are requested to attend.

Members : Councillors Mrs Hall, (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Mrs Bower, Butler, Evans, Mrs Harrison, Haymes, Mrs Hazlehurst, Mrs Maconachie, Mrs Olliver, Mrs Stainton, Steward and Wiltshire.

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT www.arun.gov.uk/planning

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of personal and/or prejudicial interests that they may have in relation to items on this agenda.

You should declare your interest by stating :

- a) the application you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial interest
- d) if it is a prejudicial interest, whether you will be exercising your right to speak at the application

You then need to re-declare your interest and the nature of the interest at the commencement of the application or when the interest becomes apparent.

3. VOTING PROCEDURES

Members and Officers are reminded that voting at this Committee will operate in accordance with the Committee Process Procedure as laid down in the Council's adopted Local Code of Conduct for Members/Officers dealing with planning matters. A copy of the Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. MINUTES

To approve as a correct record the Minutes of the meeting held on 9th December 2010 (will be circulated under separate cover).

5. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES.

6. PREVIOUSLY DEFERRED APPLICATIONS

There are no reports to consider.

7. *PLANNING APPEALS

To consider the attached report.

8. TREE APPLICATIONS

There are no such applications to consider.

9. *PLANNING APPLICATIONS

To consider the attached reports.

NB : The applications will be heard in **REVERSE ALPHABETICAL** order.

10. **EXEMPT INFORMATION**

The Cabinet is asked to consider passing the following resolution :-

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the items.

11. *ENFORCEMENT MATTERS (Exempt – Paragraph 1 – Information Relating to Individuals)

(i) CON/FP/25/07

(ii) ENF/213/10/

(iii) ENF/492/10/

(iv) ENF/52/10/

(v) ENF/530/10/

Background Papers

In the case of each report relating to a planning application, or related matter, the background papers are contained in the planning application file. Such files are available for inspection/discussion with officers by arrangement prior to the meeting.

Members and the public are reminded that the plans printed in the Agenda are purely for the purpose of locating the site and do not form part of the application submitted.

Contact Officers : Nikolas Antoniou (Ext 37799)
 Eve Hearsey (Ext 37768)
 Jonathan Parsons (Ext 37773)
 Daniel Vick (Ext 37771)
 Delwyn Jones (Ext 37737)

Note: *Indicates report is attached for Members of the Development Control Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or the Head of Development Control, in advance of the meeting. This is to ensure that officers can provide the best possible advice to Members during the meeting.)

AGENDA ITEM 7

DEVELOPMENT CONTROL COMMITTEE

12 January 2011

PLANNING APPEALS

APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

Appeals Awaiting a Decision

AW/32/08/T
Received: 17-07-2008

Falklands Cypress Way Aldwick
Fell one Macrocarpa tree

PINS Ref: APP/TPO/C3810/91

FP/241/08/A
Received: 17-04-2009

97 Felpham Way Bognor Regis
1 no. internally illuminated pole mounted double sided display unit.

Written Representations

PINS Ref:

AL/128/09/
Received: 15-03-2010

Aldingbourne Farm Nyton Road Westergate
Temporary agricultural workers dwelling at Aldingbourne Farm for a temporary period of 3 years to be provided by way of mobile home

Public Inquiry

PINS Ref: APP/C3810/A/10/2124025/NWF

AL/129/09/
Received: 28-05-2010

Fox House Lidsey Road Aldingbourne
Demolition of existing stable building and construction of a music room. (This application is a Departure from the Development Plan).

Written Representations

PINS Ref: APP/C3810/A/10/2129313

BN/27/09/
Received: 15-07-2010

Angels & Hyde Nurseries Yapton Road Barnham
Outline application for demolition of all existing structures and redevelopment with up to 95 dwellings (including up to 38 affordable homes) together with associated open space, landscaping and access improvements (This is a Departure from the Development Plan)

Public Inquiry

PINS Ref: APP/C3810/A/10/2132014

BR/53/10/
Received: 03-08-2010

5 Seafield Terrace Stocker Road Bognor Regis
First floor balcony to south elevation.

Written Representations

PINS Ref: APP/C3810/D/10/2132852

AL/36/10/
Received: 06-08-2010

Rock House Westergate Street Aldingbourne
Outline application with some matters reserved for the erection of 6 no. 2 bedroom starter homes

Written Representations

PINS Ref: APP/C3810/A/10/2133219/NWF

LU/99/10/

Received: 06-08-2010

7 Whiteways Close Littlehampton

1no. detached 2 bed bungalow

Written Representations

PINS Ref: APP/C3810/A/10/2133639

BR/54/10/

Received: 13-09-2010

130 Longford Road Bognor Regis

Demolition of existing dwelling in multiple occupation and construction of 1no detached 2 bed & 3no attached 2 bed dwellings with ancillary cycle and bin storage

Written Representations

PINS Ref: APP/C3810/A/10/2135827

BN/12/10/

Received: 06-10-2010

Nanny Copse Barnham Lane Barnham

Change of use of land to equestrian and grazing for animals and 2No. proposed storage containers for storage of riding equipment. (Dual Parish with Walberton).

Written Representations

PINS Ref: APP/C3810/A/10/2136815/NWF

BR/162/10/

Received: 12-10-2010

2 Southdown Road Bognor Regis

Vertical extensions to the South and North elevations, loft conversion, replacement of existing car compound and its timber roof with a garage to accommodate 2 cars in tandem position and raising of the existing fencing to varying heights of 2m to 2.4m with 2 new access gates to Southdown Road. This is a resubmission of BR/280/09/.

Written Representations

PINS Ref: APP/C3810/A/10/2136997

AL/64/10/

Received: 01-11-2010

Slindon Bottom Paddocks Slindon Bottom Road Fontwell

Erection of a small stable block for private use (keeping of horses) - resubmission following AL/112/09/

Informal Hearing

PINS Ref: APP/C3810/A/10/2138020/NWF

EG/4/10/

Received: 10-11-2010

Greenoaks Barnham Road Barnham

Redevelopment of land to provide for the erection of 13 new dwellings to include 4 x 2 bedroom semi-detached houses, 4 x 3 bedroom semi-detached houses, 4 x 4 bedroom detached houses and 1 x 5 bedroom detached house together with associated access, car parking and landscaping.

Written Representations

PINS Ref: APP/C3810/A/10/2140105/NWF

FP/177/10/T
Received: 18-11-2010

12 Limmer Lane (Flats 1-5) Felpham
75% reduction to 1 Ash tree

Written Representations

PINS Ref: APP/TPO/C3810/1541

M/37/10/
Received: 22-11-2010

Land to rear of 19 Baldwin Close Middleton
Outline application for two storey building housing 2 no. flats.

Written Representations

PINS Ref: APP/C3810/A/10/2140928/NWF

FP/190/10/
Received: 02-12-2010

10 South Road Felpham
Outline application for the erection of 3no. 3 bedroom age restricted chalet bungalows

Written Representations

PINS Ref: APP/C3810/A/10/2141566/NWF

FP/184/10/T
Received: 07-12-2010

Springwood Cottage 20 Lionel Avenue Felpham
Fell 1 no. Ash tree on grass verge to front of property

Written Representations

PINS Ref: APP/TPO/C3810/1575

EG/64/10/
Received: 13-12-2010

41 Elm Grove Eastergate
Piers and gates raised to boundary wall

Written Representations

PINS Ref: APP/C3810/D/10/2142178

ENF/122/09/
Received: 16-03-2010

rear of FOX HOUSE LIDSEY ROAD WOODGATE
Alleged unauthorised dwelling

Written Representations

PINS Ref: APP/C3810/C/10/2124301

ENF/122/09/
Received: 02-06-2010

rear of FOX HOUSE LIDSEY ROAD WOODGATE
Alleged unauthorised dwelling

Written Representations

PINS Ref: APP/C3810/C/10/2129310&2129318

CON/27/09/
Received: 13-07-2010

1 The Ridings Aldwick
Alleged unauthorised timber-framed garage

Written Representations

PINS Ref: APP/C3810/C/10/2129746

CON/88/10/
Received: 17-08-2010

2 Triton Place Felpham
Alleged unauthorised fence

Written Representations

PINS Ref: APP/C3810/C/10/2134434

CON/114/10/

Received: 01-12-2010

10 Hertford Close Bognor Regis

Alleged unauthorised fence

Written Representations

PINS Ref: APP/C3810/C/10/2141398

LOCATION: Jenkins Yard Glenbarrie Way Ferring

SUBJECT: Thirty nine proposed dwellings (This application is a Departure from the Development Plan).

Planning Application Reference: FG/23/10/

Appeal Decision: Dismissed

Date: 22 November 2010

Appeal Procedure: Informal Hearing

Inspector: P Dobsen MA DIPTP MRTPI FRGS

PINS Ref: APP/C3810/A/10/2130521

Application Decision: Refused

Date: 26 May 2010

Decision Process: D C Committee

Original Officer Recommendation: AppCond SubS106

SUMMARY OF REASONS FOR REFUSAL

The application site is located outside of the defined built up area and within the Strategic Gap where the countryside is protected and new development is strictly controlled. The proposals represent a significant encroachment into the Strategic Gap and will result in a significant adverse impact on rural character of the area. The proposals are contrary to policies GEN2, GEN3 and GEN7 of the Arun District Local Plan and policy CC6 of the South East Plan.

ISSUES IDENTIFIED BY THE INSPECTOR

- Compliance with Local Plan policies
- Whether the Council has a 5 year land supply
- The impact of the proposals on the aims of the Strategic Gap, and,
- Whether the permission on the adjoining Country Fayre site results in the appeal site making no contribution to the Strategic Gap.

INSPECTORS ASSESSMENT

- The appellant did not dispute the Council's submission that there was a 6 year housing land supply
- The appeal site has always been an open site with a clear distinction to the suburban parts of Ferring
- The appeal proposals would introduce a higher density in the Strategic Gap - a Gap characterised by low density and open land
- If the appeal were allowed, it would be cited as justification for further development in the Strategic Gap
- The proposals would lead to infilling of the Strategic Gap and coalescence
- The proposals would consolidate urban development within the Strategic Gap and undermine the open rural character and its purpose of preventing coalescence with Ferring with East Preston.
- There were no issues in respect of flood risk, highway safety, traffic generation or capacity of local services.

RELEVANT POLICIES

GEN2, GEN3 and GEN7

POLICIES SUPPORTED

As Above

APPLICATION FOR COSTS MADE/REASON

Yes. Council went against Officer advice and unreasonably prevented development which should have been permitted. Decision based on local objections.

COSTS AWARDED

No. Council are fully entitled to depart from Officers advice, provided they have valid planning grounds for doing so.

COMMENT

The first thing to say about the appeal decision is that it is very surprising in that it was issued on 22 November 2010 and makes no reference to the South East Plan. Following a successful High Court actions by Cala Homes, the South East Plan was re-instated on 10 November 2010.

Leading on from this, the Council's ability to demonstrate a 5 year land supply is significantly reduced by the re-instatement of the South East Plan. The last Annual Monitoring Report (AMR) concluded that the Council had a 6% short fall in supply and, at appeal, it was concluded that this could in fact be up to 30%. Based on the South East Plan requirement, the Council fell a long way short of the required completions in the year 2009/2010; the soon to be published AMR is likely to show a greater short fall in housing land supply.

The way the appeal was determined would likely be very different under these circumstances. However, the conclusions the Inspector reached (based on no South East Plan policy and on the basis that there was an undisputed 5 year land supply) support the principle of Strategic Gaps and proposed development within them.

Background Papers: FG/23/10/

Contact: Mr N Crowther

Telephone: 01903737500 Ex 37839

LOCATION: Land adj to SWA pumping station Peak Lane Kingston

SUBJECT: Change of use of land for the siting of a single static holiday caravan with associated parking and amenity area

Planning Application Reference: K/2/10/

Appeal Decision: Dismissed

Date: 30 November 2010

Appeal Procedure: Written Representations

Inspector: Doug Crammond BSc MRTPI

PINS Ref: APP/C3810/A/10/2134573

Application Decision: Refused

Date: 23 April 2010

Decision Process: Delegated

Original Officer Recommendation: Refuse

SUMMARY OF REASONS FOR REFUSAL

The site lies in a rural area and the proposal, being unrelated to the needs of agriculture, forestry, recreation, the extraction of minerals or disposal of waste, conflicts with relevant countryside policies.

The proposal is unacceptable in that it has not been demonstrated that there is an overriding and essential need for the caravan to be located in the countryside.

The proposal would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality.

The proposal would involve development within the East Preston and Ferring Strategic Gap, where policy AREA10 of the Arun District Local Plan requires development should be permitted only in compelling circumstances; there are not considered to be any such circumstances in the present case.

ISSUES IDENTIFIED BY THE INSPECTOR

The effects on the character and appearance of the area.

INSPECTORS ASSESSMENT

The appeal site is an area of rough open ground of reasonable rural appearance, set back from the narrow Peak Lane. The site lies within designated countryside and a Strategic Gap, with some sporadic development within the locality. The proposal is for a sizeable 3 bedroom static caravan for holiday use.

The planning policy position in this location is unambiguous in that it seeks to protect countryside for its own sake. The consolidation of linear or sporadic development will not be permitted other than in exceptional cases. No case is made by the appellant for any exceptional circumstances.

Development within a Strategic Gap will be subject to the most rigorous examination and only be permitted if, amongst other matters, it would not compromise, either individually or cumulatively, the objectives and fundamental integrity of the Strategic Gap.

The proposed holiday caravan would be a substantial structure with little design merit and it would have an air of permanency given its form and the associated works of domestication within the curtilage. The generous internal accommodation would make this even more tantamount to a dwelling. The potential occupation of the structure, restricted for the period from the beginning of March to the end of October, would make little difference to the urbanising effect which would arise. The scheme would represent a harmful consolidation of the linear development found locally and would markedly reduce the openness of this part of the gap between East Preston and Ferring. This local development is not in a settlement; it is a scatter of properties lying in defined countryside and should not set a precedent for new structures on adjacent sites to gain planning permission.

The scheme would run contrary to the principal objective of protecting the character and appearance of this area of countryside.

The wish for a holiday home and that the site has been tidied by the appellant together with the extensions to existing dwellings are noted. However none of these matters outweigh the concerns over the breach of policy or the visual harm which is considered to arise as a result of this proposal.

The proposal would have an unacceptable adverse effect on the character and appearance of the locality and conflict with relevant development plan policies.

RELEVANT POLICIES

Local Plan Policies: GEN2, GEN3, GEN7, AREA10

POLICIES SUPPORTED

Local Plan Policies: GEN3, GEN7

APPLICATION FOR COSTS MADE/REASON

None

COSTS AWARDED

N/A

COMMENT

The Inspectors report fully supports the Council's objective of resisting inappropriate development within the strategic gap as well as the countryside.

Background Papers: K/2/10/

Contact: Mrs A Gardner

Telephone: 01903 737529

LOCATION: Hunters Lodge Lymister Road Littlehampton

SUBJECT: Rear two storey extension and conservatory

Planning Application Reference: LU/186/10/

Appeal Decision: Dismissed

Date: 25 November 2010

Appeal Procedure: Written Representations

Inspector: Sue Glover BA (Hons) MCD MRTPI

PINS Ref: APP/C3810/D/10/2137865

Application Decision: Refused

Date: 26 August 2010

Decision Process: Delegated

Original Officer Recommendation: Refuse

SUMMARY OF REASONS FOR REFUSAL

The proposed roof extensions by reason of their height, scale and design would overwhelm the existing property and fail to appear visually subservient. In addition the design, form and scale of the extensions would fail to relate to the existing dwelling and would be harmful to its overall character.

ISSUES IDENTIFIED BY THE INSPECTOR

The effect of the proposal on the character and appearance of the area.

INSPECTORS ASSESSMENT

Hunters Lodge is a small bungalow situated in the countryside. There is a modest sized 2-storey cottage adjoining to the north with a public house beyond, which has both single-storey and 2-storey elements. Although varying in design the adjoining buildings reflect the local vernacular with simple building forms.

The western flank wall of Hunters Lodge is prominent from the busy Lyminster Road, being separated from the foot-way by no more than a narrow grass strip. The rear of the bungalow and the small conservatory are clearly visible from a southerly approach. Despite its prominence from the road, the bungalow does not appear obtrusive due to its modest scale and simple uncluttered form.

The proposed 2-storey extension would have a complex roof form with an expanse of cat slide roof visible on the west elevation close to the foot-way. The proposed southern elevation would appear significantly higher with a steep angled roof and with a substantial amount of glazing.

Although some characteristics of the original dwelling would be retained such as the front ground floor elevation windows and front external timber treatment, the proposed design and form of the extension would dominate and overpower the original building.

It would be lower than other 2 storey houses nearby, but the proposed design of the dwelling would not reflect the simple form and traditional materials of local buildings in this prominent countryside location. The proposed extension would appear unduly obtrusive and out of place in the rural setting. It would not have a sufficiently high quality of design and it would harm the

character and appearance of the area.

Whilst the proposal would contribute towards the family's accommodation needs and an extension may be preferable to rebuilding in respect of resource use, these matters do not override an unacceptable design solution at the appeal property.

RELEVANT POLICIES

Local Plan Policies: GEN3, GEN7, DEV19

Planning Policy Statement: PPS1

POLICIES SUPPORTED

Local Plan Policies: GEN7, DEV19

APPLICATION FOR COSTS MADE/REASON

None

COSTS AWARDED

N/A

COMMENT

Comments noted.

Background Papers: LU/186/10/

Contact: Mr P Cleveland

Telephone: 01903 737500 x 37370

LOCATION: Leila Cottage 129 Wick Street Wick

SUBJECT: Demolition of existing detached double garage and construction of new detached dwelling (Re-submission following LU/141/09).

Planning Application Reference: LU/271/09/

Appeal Decision: Dismissed

Date: 08 December 2010

Appeal Procedure: Written Representations

Inspector: Joanna C Reid BA(Hons) BArch(Hons) RIB

PINS Ref: APP/C3810/A/10/2130392

Application Decision: Refused

Date: 16 December 2009

Decision Process: Delegated

Original Officer Recommendation: Refuse

SUMMARY OF REASONS FOR REFUSAL

Having regard to the limited area of the site and the height, size and position of the proposed dwelling and its relationship to existing residential properties the proposal would give rise to a cramped form of development which would be prejudicial to the amenities and environment of the locality.

The proposal involves development in the rear garden of a Grade 2 Listed Building and would significantly reduce its curtilage and provide a dwelling which, given its height and design, would be dominant on the setting of the Listed Building.

ISSUES IDENTIFIED BY THE INSPECTOR

The effect that the proposal would have on the setting of the listed building, and on the character and appearance of the surrounding area.

INSPECTORS ASSESSMENT

Setting of the Listed Building

Leila Cottage is a seventeenth-century thatched-roofed 1½-storey dwelling with front-facing dormers. Its simple pitched-roofed form and its catslide roof with its low eaves at the back are important to its special architectural and historic character. It is set in a long narrow plot about as wide as the listed building with gardens at the front and at the back. The proposal is for the erection of a 2-bedroom house in the back garden at Leila Cottage, and the subdivision of its plot. The parking and turning area for the dwelling would be reached from Courtwick Road.

The site is next to modern block of shops and flats at Wick Parade which is set back from Wick Street allowing for prominent views of Leila Cottage from the south and an open appearance to the locality. To the north, dwellings are closer to Wick Street with back gardens of a similar depth contributing to the urban grain.

The depth of the plot ensures Leila Cottage is appreciated and the garage at the end of the garden is barely visible as it largely obscured by the existing boundary walls and fencing. It also has little impact upon views down the garden from Leila Cottage which is also important to its setting.

The garage would be replaced by the proposed dwelling and would be similar in height to the Listed Building. This is considered to be unacceptably dominant, and, thus, fail to preserve the setting of Leila Cottage. It would also erode the spaciousness of the long back garden detrimental to its setting.

The introduction of a post a rail fence would offer little privacy to occupiers, screens and planting would only draw attention to the sub-division of the gardens. This would also fail to preserve the listed building.

Character and Appearance

Changes to PPS3 with regard to reclassification of garden land are noted and the changes to this policy are a material consideration. There are other in-fill dwellings within Courtwick Lane and although dormer windows are noted it is more closely related to taller frontages within Wick Street than to the development in Courtwick Lane.

The proposed dwelling would be enclosed to 3 boundaries with narrow gaps between the building and boundaries. Thus, its siting would be cramped and out of keeping where most dwellings are fairly spaciouly sited. It would also be set back from the road which would not respect the building line in Courtwick Road and as such it would have a poor relationship with the road and unrelated to the frontage development in Wick Street. The proposal by reason of its siting, scale and bulky massing would be out of keeping with the locality.

The proposal would provide a poor living environment for the future occupiers, which would be at odds with the prevailing suburban character. This leads to the conclusion that the site would be overdeveloped.

RELEVANT POLICIES

Arun District Local Plan: GEN7

Planning Policy Guidance: PPS1, PPS3, PPG15 (cancelled)

POLICIES SUPPORTED

Arun District Local Plan: GEN7

Planning Policy Guidance: PPS3

APPLICATION FOR COSTS MADE/REASON

None

COSTS AWARDED

N/A

COMMENT

Comments noted.

Background Papers: LU/271/09/

Contact: Mrs A Gardner

Telephone: 01903 737529

LOCATION: Leila Cottage 129 Wick Street Wick

SUBJECT: Listed building consent for the demolition of existing detached double garage and construction of new detached dwelling

Planning Application Reference: LU/272/09/L

Appeal Decision: No Further Action

Date: 08 December 2010

Appeal Procedure: Written Representations

Inspector: Joanna C Reid BA/ (Hons) BArch(Hons) RIE

PINS Ref: APP/C3810/E/10/2130400

Application Decision: Refused

Date: 16 December 2009

Decision Process: Delegated

Original Officer Recommendation: Refuse

SUMMARY OF REASONS FOR REFUSAL

The proposal involves development in the rear garden of a Grade 2 Listed Building and would significantly reduce its curtilage and given the height, size and design of the proposed dwelling it would appear cramped and overbearing and would be dominant on the setting of the Listed Building.

ISSUES IDENTIFIED BY THE INSPECTOR

The effect of the proposal on the setting of Leila Cottage, and not to the demolition of the existing garage.

INSPECTORS ASSESSMENT

The effect of the proposal on the setting of the listed building is to be in accordance with the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

No evidence was put forward to show that the existing garage at the appeal site is an object or structure fixed to the listed building, or that it is an object or structure within the curtilage of the listed building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948. Thus, by reason of section 1(5) of the Act, it does not fall to be treated as part of the listed building.

The proposal would not be for the demolition of the listed building, or for the alteration of part of the listed building, as the garage is not part of it. I say this in the light of the judgement in Shimizu (UK) Ltd v Westminster City Council [1997] 1 All ER 481. Thus, listed building consent is not required for the demolition, nor is it required for the construction of a new detached dwelling, therefore no further action is to be taken.

RELEVANT POLICIES

N/A

POLICIES SUPPORTED

Section 66(1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

APPLICATION FOR COSTS MADE/REASON

None

COSTS AWARDED

N/A

COMMENT

Comments noted.

Background Papers: LU/272/09/L

Contact: Mrs A Gardner

Telephone: 01903 737529

LOCATION: 50 Shaftesbury Road Rustington

SUBJECT: Loft extension including the replacement of the existing roof structure with a new pitched roof with dormer windows.

Planning Application Reference: R/89/10/

Appeal Decision: Allowed+Conditions

Date:

Appeal Procedure: Written Representations

Inspector: Doug Crammond BSc MRTPI

PINS Ref: APP/C3810/D/10/2138003

Application Decision: Refused

Date: 16 July 2010

Decision Process: Delegated

Original Officer Recommendation: Refuse

SUMMARY OF REASONS FOR REFUSAL

The proposed roof extension by way of its overall bulk and scale together would significantly alter the appearance of the property resulting in an unsympathetic and dominant extension that would not appear visually subservient to the existing dwelling.

ISSUES IDENTIFIED BY THE INSPECTOR

The effect of the proposal on the character and appearance of the host property and the locality.

INSPECTORS ASSESSMENT

The appeal property is bungalow with an exceptionally and disproportionately low hipped roof. It is underwhelming in appearance with a lower profile than other bungalows in the street scene and the other mix of 2 and 3 storey properties.

The Council considers that the proposals would be too radical in bulk and scale and by not being a modest extension would be conflict with Arun District Local Plan Policy DEV19. Judged purely as an extension this view is shared as the scheme would change a very modest bungalow into a noticeably increased chalet structure.

However looking more widely and along the lines of a new dwelling, would the scheme be harmful to the street scene. The design in its own right would produce a property which was reasonably balanced and a not unattractive chalet dwelling. The dormers would be of reasonable scale and positioning. It would sit comfortably on its plot and would not appear as overdevelopment. Just as the adjoining properties, which are of a different bungalow design, are higher than the appeal property at the present time so the situation would be reversed but this would not be to an excessive degree. Roof heights in the street rise and fall in what is an area defined in character by a great variety of property types. The appearance of the appeal property would change considerably but acceptably so.

On the basis of compliance with GEN7, the qualities and suitability of the scheme as a whole, and the appellants understandable wish for more space it is considered that the breach of DEV19, if it was to read in isolation, would be outweighed. These concerns for the construction of a more substantial property from a low key dwelling are noted, however in this particular location such a

change would not be harmful.

It is concluded that the appeal proposal would not have an unacceptable adverse effect on the character and appearance of the host property and the locality.

RELEVANT POLICIES

Arun District Local Plan: GEN2, GEN7, DEV19

POLICIES SUPPORTED

Arun District Local Plan: GEN7, DEV19

APPLICATION FOR COSTS MADE/REASON

None

COSTS AWARDED

N/A

COMMENT

The consideration of the appearance of the street scene together with the appearance of the dwelling are noted within the Inspectors report.

Background Papers: R/89/10/

Contact: Mr P Cleveland

Telephone: 01903 737500 x 37370

DEVELOPMENT CONTROL COMMITTEE

12 January 2011

PLANNING APPLICATIONS

**LIST OF TREE APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION
AT THE DEVELOPMENT CONTROL COMMITTEE**

NONE FOR THIS COMMITTEE

**LIST OF APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION AT
THE DEVELOPMENT CONTROL COMMITTEE**

YAPTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
Y/87/10/	Erection of garden shed	Privett Yapton Road Barnham
Case Officer :	Mrs A Stroud	
Recommendation:	Approve Cond	

WALBERTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
WA/90/10/	Change of use of a store to a single dwelling with a porch extension and one additional window to north and west elevations and to east facing roof slope.	Walberton House The Street Walberton
Case Officer :	Mrs A Gardner	
Recommendation:	Approve Cond	

LITTLEHAMPTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
LU/341/10/	Single storey extension to rear forming part of improvements to owners accommodation	East Beach Guest House 71 South Terrace Littlehampton
Case Officer :	Mr J Smith	
Recommendation:	Approve Cond	

LU/353/10/	Replacement of existing wooden window frames with 11 new white PVCu double glazed windows, and replacement of french doors with new white PVCu doors.	5 The Waterside River Road Littlehampton
Case Officer :	Mrs A Stroud	
Recommendation:	Approve Cond	

LU/354/10/ Single storey infill extension 1 Mountbatten Court
Littlehampton
Case Officer : Mr P Cleveland
Recommendation: Approve Cond

FERRING

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
FG/144/10/	Replacement agricultural dwelling and garage.	North Barn Nursery Littlehampton Road Ferring

Case Officer : Mrs A Gardner
Recommendation: Approve Cond

FELPHAM

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
FP/225/10/	Single storey side extension	66 Glynde Crescent Bognor Regis

Case Officer : Mrs J Chapman
Recommendation: Approve Cond

EASTERGATE

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
EG/63/10/	Revised application for redevelopment of land to provide for the erection of 13 new dwellings to include 4x2 bed. semi-detached houses, 4x3 bed. semi-detached houses, 4x4 bed. detached houses and 1x5 bed. detached house together with associated access, car parking and landscaping (Re-submission of planning ref: EG/4/10/).	Greenoaks Barnham Road Barnham

Case Officer : Mrs S Leeson
Recommendation: Approve Cond

EG/68/10/	Erection of new building for use as vehicle repair workshop.	Poling Motor Co. Fordingbridge Industrial Estate Barnham Road Barnham
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Case Officer : Mr N Crowther
Recommendation: Approve Cond

EAST PRESTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
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EP/113/10/ Extension and alterations 36 Sea Lane
East Preston
Case Officer : Mr J Smith
Recommendation: Approve Cond

ARUNDEL

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
AB/129/10/	Formation of dormer & rooflights & two storey side extension (Resubmission of AB/38/10)	33 Mount Pleasant Arundel

Case Officer : Mr P Cleveland
Recommendation: Approve Cond

AB/130/10/L	Application for Listed Building Consent for formation of dormer & rooflight & two storey side extension (resubmission of AB/39/10/L)	33 Mount Pleasant Arundel
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Case Officer : Mr P Cleveland
Recommendation: Approve Cond

ANGMERING

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
A/147/10/	Demolition of existing garage (side) & rear conservatory and erection of two-storey side extension (Resubmission of A/74/10)	2 Arundel Road Angmering

Case Officer : Mrs J Chapman
Recommendation: Approve Cond

ALDWICK

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
AW/268/10/	Remove existing conservatory and shower room to rear elevation and erect 2 storey extension incorporating additional bedroom and en-suite	69 Nyetimber Lane Aldwick

Case Officer : Mrs A Stroud
Recommendation: Refuse

PLANNING APPLICATION REPORT**REF NO:** Y/87/10/**LOCATION:** Privett
Yapton Road
Barnham**PROPOSAL:** Erection of garden shed**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This is a retrospective application for the construction of a timber shed to the front of 'Privett', Yapton Road.
SITE AREA	Approximately 540 square metres
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Close boarded fencing with trellising approximately 1.8m high, with hedging to part.
SITE CHARACTERISTICS	The site is a two storey detached property with brick faced and tile hung elevations, and a hipped tiled roof. There is a gravelled driveway to front.
CHARACTER OF LOCALITY	The site is located on a main road of predominantly residential properties in a semi-rural area.

RELEVANT SITE HISTORY

Y/38/10/	First floor side extension and rear single storey extension	Approve Cond 25-06-2010
Y/73/97	Two storey front & rear additions new roof over garage	Approve Cond 28-11-1997

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**Yapton Parish Council
Objection.

The siting of the shed to the front of the property is out of keeping and detrimental to the character of the neighbourhood, being close to a Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The shed, by reason of its design and materials, is considered to be in keeping with the locality and is not in close proximity to a Conservation Area.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Class B Road

Outside the Built Up Area

Permitted Development Restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN3	Protection of the Countryside

South East Plan:

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

This application seeks retrospective planning permission for the construction of a shed to the front of Privett, Yapton Road, Barnham.

The shed measures approximately 6 metres in width, 4 metres in depth, and would have a flat roof reaching a maximum height of approximately 2.4 metres.

The shed is clad with dark stained timber to match the existing close boarded fencing to the front of the site. Whilst it is appreciated that the structure is visible from the highway, it is partially screened by the close boarded fencing and hedging that currently lines the front of the site and as such is not considered to represent an incongruous or obtrusive addition to the street scene.

It is therefore recommended that the application be approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 A landscaping scheme for the south-western boundary of the site (adjacent to the shed hereby approved) shall be submitted to the Local Authority within 1 month of the date of this permission. The approved details of such landscaping shall be carried out in the first planting and seeding season and thereafter any trees or plants which 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 2 This permission relates to the following approved plans; location and block plans, floor plans and elevations, received 28th October 2010.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

Y/87/10/ Indicative Location Plan

(Do not Scale or Copy)

(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: WA/90/10/

LOCATION: Walberton House
The Street
Walberton

PROPOSAL: Change of use of a store to a single dwelling with a porch extension and one additional window to north and west elevations and to east facing roof slope.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is to convert an outbuilding (store) into a single dwelling and is a resubmission of WA/41/10. The proposal includes a porch extension measuring 1.8m x 1.6m and three additional windows. The size of the application curtilage has been increased since WA/41/10 to include repositioning of two car parking spaces to the east of the boundary wall.
SITE AREA	0.0279 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	36 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint wall abutting the building.
SITE CHARACTERISTICS	Two storey brick structure with chimney.
CHARACTER OF LOCALITY	The site is within the Walberton Park complex and is adjacent to a new bungalow (Walberton House).

RELEVANT SITE HISTORY

WA/41/10/	Change of use of a store to a single dwelling with a porch extension.	Refused 15-09-2010
WA/47/81	Details in pursuance of WA/69/80 for single storey dwelling incorporating staff accommodation	Approve 24-06-1981
WA/69/80	Outline application for erection of single storey dwelling incorporating staff accommodation	Approve Cond 26-03-1981
WA/50/78	Outline for one house and garage	Approve Cond 04-10-1978

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council Awaited

Six letters of objection:

The porch, windows and doors will overlook Walberton Park when they could easily be made to face the other way on to the grounds of Walberton House. The bin area should also be placed inside the perimeter wall. A possible cycle store should not be constructed without the permission of Walberton Park Management. The entrance to the park will be a lot less attractive. The new porch and new windows will overlook the driveway. This should not be allowed to the approach to Walberton Park. The design should be handed in in order to be acceptable. Prime concern is the retention of Walberton Conservation Area and grounds protected by Tree Preservation Orders. Would adversely affect visual amenities and the character of the area. The hedge to the east should not be chopped down. A bike store should be included. Front door is now poorly related to parking area. Object to any proposal to position refuse and recycling bins or cycle parking on the Walberton Park side of the perimeter wall. Any approval should be conditioned to ensure proper maintenance of the shrubbery lining the approach drive and a cost contribution towards the upkeep of the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The Listed Building is referred to as Walberton Park and the modern bungalow as Walberton House. It is considered that the new windows overlooking the drive do not adversely directly overlook neighbouring windows or adversely affect the character of the area or Walberton Park. It would not be appropriate to use planning conditions to ensure long term retention of shrubbery and financial contributions towards maintenance. These are private legal matters. A condition relating to landscaping could be imposed on any approval. The location of bin storage is considered acceptable. A condition relating to cycle storage has been requested by County Highways although the position of cycle parking is indicated on the car parking plan in the same position as indicated in application WA/41/10.

CONSULTATIONS

WSCC Local Development Divis.

Environmental Health

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Environmental Health Officer:

No comment.

County Highways:

No objection. Request condition is imposed relating to cycle parking.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

Outside the Built-Up Area Boundary

Within a Conservation Area

Listed Building Grade II*

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

GEN3

Protection of the Countryside

GEN7	The Form of New Development
GEN12	Parking in New Development
DEV2	Conversion of Rural Buildings for Residential Use
AREA2	Conservation Areas
DEV1	Conversion of Rural Buildings for Industrial or Business Use
South East Plan:	SEPBE6 Management of the Historic Environment

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS7	Sustainable development in rural areas
PPS5	Planning for the Historic Environment

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the site lies outside the built up area boundary the principle of new development is contrary to policy unless necessary for agriculture.

The requirements of conversion of rural buildings in DEV1 and DEV2 have not been met.

OTHER MATERIAL CONSIDERATIONS

In this case it is a material consideration that no new building is taking place to create the new dwelling. The proposal is the conversion of a former apple store. The only alteration to the building is changes to fenestration and a new porch and the residential use of the premises is preferable to business in this location.

CONCLUSIONS

PRINCIPLE:

The site of Walberton Park (formerly Walberton House Grade II*) is outside the built up area boundary of Walberton. The proposal is to convert a former apple store into a single dwelling house. The proposal is therefore subject to Policies DEV1 and DEV2.

POLICY DEV1 AND DEV2

Proposals for conversion of buildings for industrial or business uses outside the built up area will be permitted provided that the building is structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension and that reasonable attempts have been made to market and use the premises for business purposes.

The site is within the walled enclosure of Walberton Park House which is predominantly residential and a business use would not be appropriate in this particular location. The building appears as a sound brick building and is therefore capable of conversion. The Council's Structural Engineer was previously consulted. The alterations proposed are not significant as the existing structure has ground and first floor windows, the additional windows are considered de minimus. This part of the policy is therefore met. The premises have not been marketed for business purposes, but in this location.

Overall the proposed use is considered the most appropriate having regard to the neighbouring building and the character of the surrounding area.

VISUAL AMENITY:

The store is an existing building and the only proposed alterations are the insertion of a roof light on the east elevation, a ground floor window on the north elevation, one first floor and one ground floor window and a porch on the west elevation. These changes are considered to be non-material to the visual appearance of the building. When viewed from The Street, within the Conservation Area, the visual appearance will remain unaltered. Therefore its visual appearance is preserved.

AFFORDABLE HOUSING:

The proposal generates a need for affordable housing contributions and no agreement to ensure payment, has been submitted as part of the proposal.

RESIDENTIAL AMENITY:

The proposal does not alter the overlooking of the existing property of Walberton House which will remain with a ground floor window which serves a kitchen. A roof light will be inserted, but this will not create any overlooking. On the west side which looks onto the driveway of Walberton Park House is proposed to insert one first floor window to serve the hall. This does not directly overlook any residential unit. Therefore it is not considered that there is any significant loss of residential amenity.

SETTING OF THE LISTED BUILDING:

The building is within the grounds of Walberton Park House. It is an existing building and therefore is not considered that the proposed conversion would adversely affect the setting of the Listed Building. Currently the building is screened by planting. The proposed car parking and amenity area could continue to be screened subject to a landscaping condition.

HIGHWAY ISSUES:

No new access is being created onto The Street and two car parking spaces are being proposed which are within the maximum parking standards.

COMPARISON WITH PREVIOUS APPLICATION:

The proposal is identical to that previously considered under WA/41/10 except that the parking area has been relocated to the east of the building. This addressed the only previous refusal which related to the unsightly parking area which was considered to adversely affect the setting of the Listed Building and character and appearance of the Conservation Area. The amended position is now acceptable.

SUMMARY:

The proposed conversion is not considered to result in any significant loss of visual or residential amenity. It is considered to be a good use of the redundant building and the car parking position is now acceptable in terms of the impact on the Conservation Area. However, whilst no affordable housing contribution agreement has been included in the proposal to date it is anticipated one will

be included as part of the application by 12-01-2011.

The application is therefore recommended for approval subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans Drawing 1, Drawing 2, Drawing 3 and Drawing 4.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 2008 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the east wall at first floor level or above of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping hard and soft, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection and enhancement in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The window roof light hereby approved shall be conservation style only.

Reason: In the interests of the amenities as the site is with a designated conservation area and in accordance with policies GEN7, AREA2 of the Arun District Local Plan.

- 7 No development shall take place unless plans to a scale not less than 1:20 of typical

elevations and sections of all new windows and doors and their decorative finishes shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of the building in accordance with Planning Policy Statement 5 Planning for the Historic Environment.

- 8 The use hereby permitted shall not be carried on until provision for cycle parking has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policy GEN7 of the Arun District Local Plan.

- 9 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, DEV1, DEV2, GEN12, AREA2

SOUTH EAST PLAN: BE6

NATIONAL POLICIES: PPS1, PPS3, PPS7, PPG12

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

WA/90/10/ Indicative Location Plan

(Do not Scale or Copy)

(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: LU/341/10/

LOCATION: East Beach Guest House
71 South Terrace
Littlehampton

PROPOSAL: Single storey extension to rear forming part of improvements to owners accommodation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed rear extension measures approximately 7.6 metres in length by 4.9 metres in width and 4.1 metres in height.
SITE AREA	Approximately 221 square metres.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The rear of the site is enclosed by an approximately 1.5 metre high pebbledash wall.
SITE CHARACTERISTICS	The site is occupied by a mid-terraced three-storey and basement building which has painted render and tile hanging on the front elevation walls and red/brown bricks to the rear. The roof is tiled and hipped. There is a three-storey section to the rear which in turn leads onto a single-storey extension plus basement. These appear to be original features of the building and are repeated on neighbouring buildings in the terrace. The building is currently used for Guest House accommodation which includes owners accommodation.
CHARACTER OF LOCALITY	The site is located within the built-up area on a road some 230 metres from the sea front with buildings on its north side predominantly in the form of linear terraces of three-storey buildings which generally house either guest houses or residential flats. These face towards a green area which acts as a buffer between South Terrace and the promenade which runs alongside the beach. The surrounding area has a high density of buildings of stature which help define the urban appearance of the seafront area.

RELEVANT SITE HISTORY

LU/382/80	Change of use of existing owners bedrooms to become guest bedrooms	Approve Cond 30-07-1980
LU/513/78	Change of use two flats to hotel with eight letting rooms	Approve Cond 16-11-1978

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection. Overdevelopment leaving insufficient amenity space. Existing rusting and unstable fire escape should not be such.

COMMENTS ON REPRESENTATIONS RECEIVED:

The site is used for Guest House accommodation and it is considered that there is sufficient amenity space, some 24 square metres, remaining which is considered acceptable for this Town Centre location. Further, as the site is in a town centre location it is within close proximity of public amenity spaces, thereby enriching the amenities of the occupiers.

The condition of the fire escape is not a material planning matter and, in any case, the escape is to be removed as part of the proposal.

CONSULTATIONS

Environment Agency
Engineering Services Manager
Engineers (Coastal Protection)
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

DISTRICT COUNCIL'S ENGINEERS: No objections - however, there appears to be no mention of flood resilience/resistance measures in the application. These measures should be conditioned if your Committee is minded to approve the application.

ENVIRONMENT AGENCY: No objections.

COMMENTS ON CONSULTATION RESPONSES:

A Flood Risk Assessment is included within the application in which it is stated that floor levels of the extension will be at least as high as that of the existing building. This is a course of action recommended by the Environment Agency, who have offered no objections to the application, and is considered to be an acceptable flood resilience/resistance measure for a development of this kind. A condition will be attached requiring the measures shown in the FRA to be incorporated.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area
Building of Character
Within Flood-Zone 3

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: GEN2 Built-up Area Boundary

GEN7	The Form of New Development
GEN11	Inland Flooding
GEN22	Buildings or Structures of Character
DEV34	Tourist Accommodation and Attractions

South East Plan: [SEPTSR5](#) Tourist Accommodation

PLANNING POLICY GUIDANCE

	PPS1	Delivering Sustainable Development
	PPS25	Development and Flood Risk
Supplementary Guidance:	XXX4	SPG - Buildings or Structures of Character
Supplementary Guidance:	XXX3	DCLG - Good Practice Guide on Planning for Tourism

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is located within the built-up area where the principle of development is deemed to be acceptable, subject to it satisfying relevant planning policies or there being material reasons why it can conflict with a policy. In this instance the main policy considerations would be the impact on the character and appearance of the surrounding area and the amenities of neighbouring residents, as set out in policy GEN7 of the Arun District Local Plan and the desire to provide good quality tourist accommodation as required in Policy DEV34 of the Arun District Local Plan which recognises extensions/upgrades may be required and this should be balanced with the need to protect the environment. Special consideration will be given towards the impact the proposed extension would have on the appearance of the building as the building has been identified as being of special character and is subject to Arun District Local Plan Policy GEN22.

CHARACTER & APPEARANCE:

The single-storey extension will be positioned to the rear of the existing building and will therefore not impact upon the appearance of the distinctive frontage provided by the terraced buildings that line South Terrace, facing towards the sea as it will be screened from view by the building itself as well as neighbouring buildings.

DESIGN & SCALE:

The extension is single-storey and modest in other dimensions in comparison to the existing building and would therefore appear visually subservient towards it. Further, the gable end design of the proposal reflects that of the existing three-storey rear extension and the single-storey height continues the current pattern of stepping down of the height of extensions to the rear of the dwelling and, therefore, it is considered that the proposed extension will visually integrate with the existing building in a positive manner. It is considered that the removal of the external fire escape would not involve the loss of a feature that is valuable to the overall appearance of the building or its surroundings.

RESIDENTIAL AMENITIES:

The proposed extension is a low-profile single-storey structure, with roof slopes pitching away from boundaries with adjoining properties and it is considered that this will prevent it from bringing about an unacceptable level of overshadowing towards neighbouring properties, nor would the extension appear overbearing. Further, outward views from windows and doors at ground floor level towards neighbouring properties will be interrupted by existing site boundary treatment, preventing loss of privacy, whilst accompanying section plans show that the proposed roof lights will be at a height and angle that will prevent them from offering clear views towards neighbouring properties. Further, the amenity space retained for occupiers of the building itself, as some 24 metres, is considered to be acceptable given the primary use of the building as a Guest House and its Town Centre location.

FLOOD RISK:

The site is located within Flood-Zone 3 and therefore is at risk from flooding. A Flood Risk Assessment (FRA) has been submitted with the application which states that floor levels of the proposed extension will be set at least as high as that of the existing building and flood proofing measures will be incorporated where appropriate. It is considered that this demonstrates that appropriate steps are being taken to reduce the risk and impact of flooding within the proposed extension. A condition will be attached to any given approval to ensure these measures are carried out.

SUMMARY:

It is considered that the proposal satisfies relevant planning policies in that it would not be detrimental towards the character and appearance of the surrounding area, would integrate effectively with the existing building, would not be harmful towards the amenities of neighbouring residents and would improve the quality of the existing guest house.

It is therefore recommended that the application is approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

2 This permission relates to the following approved plans:-

10039/01.A;
10039/02.C;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

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

1. Finished floor levels are set no lower than existing levels.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, GEN11, GEN22, DEV34

NATIONAL POLICIES: PPS1, PPS4, PPS25

DCLG - Good Practice Guide on Planning for Tourism

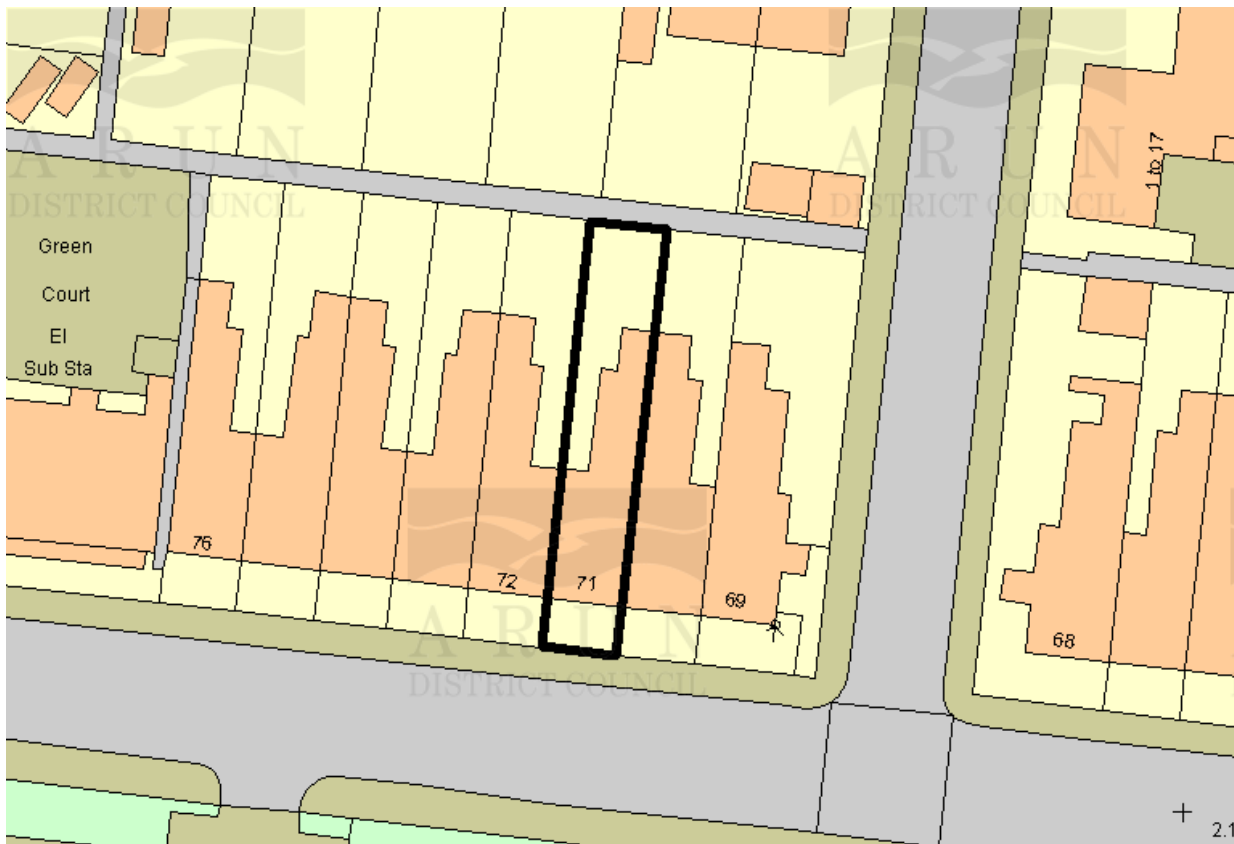
Arun District Council - Supplementary Planning Document - Buildings or Structures of Character.

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

LU/341/10/ Indicative Location Plan

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PLANNING APPLICATION REPORT

REF NO: LU/353/10/

LOCATION: 5 The Waterside
River Road
Littlehampton

PROPOSAL: Replacement of existing wooden window frames with 11 new white PVCu double glazed windows, and replacement of french doors with new white PVCu doors.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed works would not normally require planning permission, however, a condition to restrict and alterations or extensions being made to the dwelling without prior approval by the Local Planning Authority was attached to the initial development of the site under LU/27/96.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed window development.
BOUNDARY TREATMENT	The front of the site is open. The rear boundary of the site is marked by an approximately 0.3 metre high concrete barrier, set on top of raised ground with the river directly behind. There is an approximately 0.5 metre high metal railing fence mounted on the barrier. The sides boundaries of the rear garden are marked by approximately 1 metre high timber fencing with trellising above.
SITE CHARACTERISTICS	The site is occupied by a middle of terraced two-storey dwelling which has red brick elevation walls and a slate roof. The front door has an overhanging canopy above it. All windows are currently timber framed.
CHARACTER OF LOCALITY	The site is located in a courtyard set back from River Road which is predominantly residential, featuring a mixture of dwelling and flats, many of which are set within courtyard areas. The immediate surroundings form part of the River Road Conservation Area which was designated in June 1989 and extended in 1991. Dwellings on the southern side of the road back onto Littlehampton Riverside Walk and the harbour. A large amount of the nearby buildings have been constructed relatively recently as part of the Littlehampton East Bank regeneration scheme.

RELEVANT SITE HISTORY

LU/27/96	Construction of 8 Courtyard Dwellings with associated moorings	Approved Cond + S106 27-09-1996
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection. PVCu windows would conflict with the character of the Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The use of PVCu windows and doors is not precluded within Conservation Areas. Nearby properties, including those within the same terrace such as No. 6 Waterside and No. 2 Waterside have had applications for PVCu windows approved and, where present, these windows do not look out of keeping with the Conservation Area as they are sympathetically designed.

CONSULTATIONS

Conservation Area Advisory Com

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee:

Would like to see new windows as close to original as possible. Not satisfied this is possible with PVC.

COMMENTS ON CONSULTATION RESPONSES:

Noted. The design of the proposed frames replicates that of the existing window and it has been observed that PVCu windows on neighbouring properties visually integrate with remaining timber window frames.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Within Conservation Area

Permitted Development Restriction: No alterations or extensions to the dwelling without prior approval by the Local Planning Authority (LU/27/96 - Condition 7).

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2 GEN7 AREA2	Built-up Area Boundary The Form of New Development Conservation Areas
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South East Plan:

PLANNING POLICY GUIDANCE

	PPS1 PPS5	Delivering Sustainable Development Planning for the Historic Environment
Supplementary Guidance:	XXX4	Supplementary Planning Guidance for

Conservation Areas.

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE:**

The site is located within the built-up area where the principle of development is acceptable, subject to relevant planning policy criteria or there being a material reason to approve a development that conflicts with such policy. In this instance, the main criteria against which the proposed works will be assessed is contained in Arun District Local Plan Policy GEN7 which seeks to protect the character and appearance of the surrounding area as well as the amenities of neighbouring residents and Arun District Local Plan Policy AREA2 which is in place to ensure that development either preserves or enhances the character and appearance of Conservation Areas.

POLICY:

It should be noted that the use of PVCu windows and doors is not precluded within Conservation Area. This application needs permission purely because Permitted Development rights were removed under LU/27/96.

CHARACTER & APPEARANCE:

The proposed windows will replicate the design and scale of the existing timber windows and, with the exception of the change in materials, will be a like for like replacement. It is noted that nearby properties in the same courtyard such as No. 2 Waterside have had PVCu windows installed and that these sit comfortably within the courtyard itself as well as the wider Conservation Area. It is therefore considered that, given the sympathetic design and scale of the proposed windows, the character and appearance of the Conservation Area will be preserved and there will be no detrimental visual impact upon the street scene.

RESIDENTIAL AMENITIES:

All new windows will be installed in positions to match those existing and will be of the same size, it is therefore considered that there will be no resultant increase in the potential for overlooking of neighbouring properties.

SUMMARY:

It is considered that the above report demonstrates that the proposed works would preserve the valued character and appearance of the surrounding Conservation Area and would not be to the detriment of the amenities of neighbouring residents and, as such, the proposal satisfies the criteria of relevant Planning Policy.

It is therefore recommended that the application is approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans:-

Sitemap;
DPP/SD/10/82/01;
DPP/SD/10/82/02;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, AREA2

NATIONAL POLICIES: PPS1, PPS5

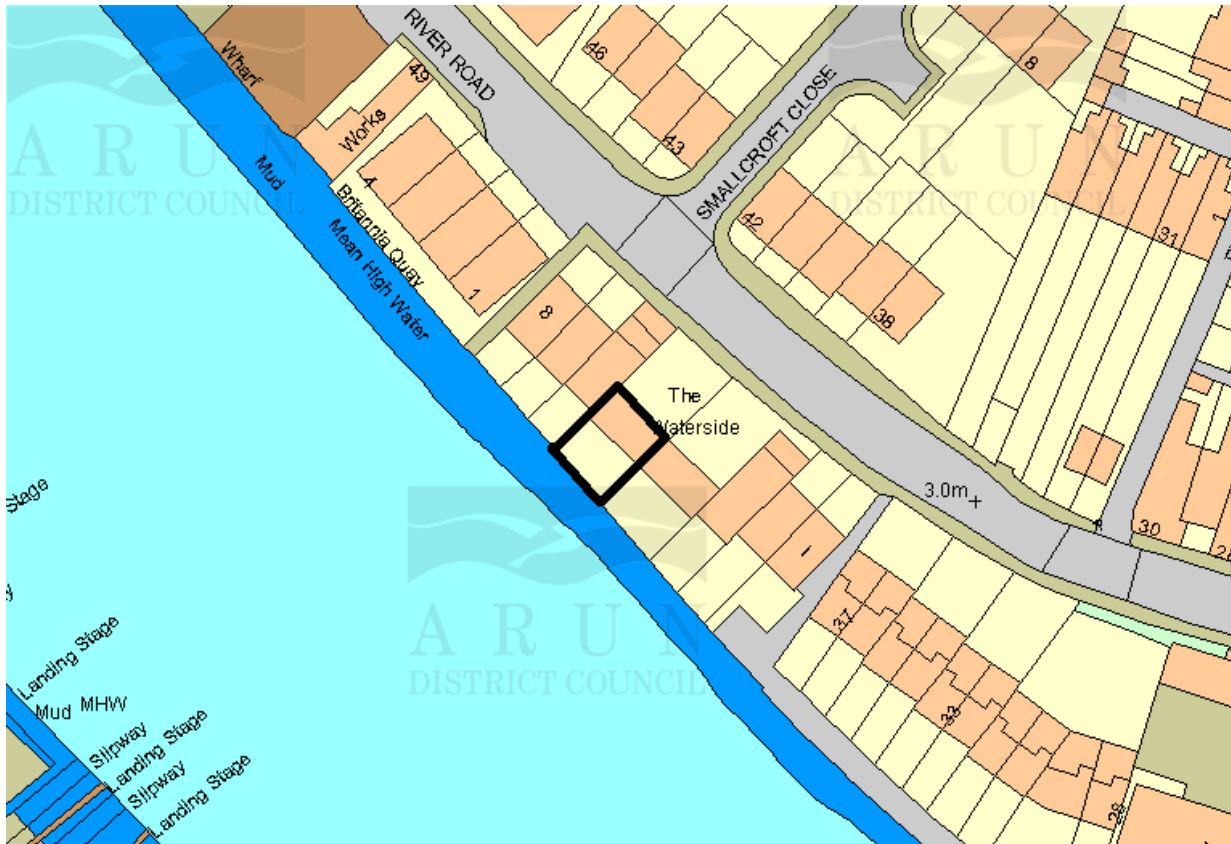
Supplementary Planning Guidance for Conservation Areas.

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

LU/353/10/ Indicative Location Plan

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PLANNING APPLICATION REPORT**REF NO:** LU/354/10/**LOCATION:** 1 Mountbatten Court
Littlehampton**PROPOSAL:** Single storey infill extension**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The extension would measure approximately 4.5m in depth x 2.5m in width x 2.7m in height.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Hedging and fencing enclosing amenity area to front of site, approximately 2m in height. 2 storey block of flats forms a section of the southern boundary.
SITE CHARACTERISTICS	Two storey residential dwelling, single storey link adjoining a block of flats. Red brick elevations, gable pantiled roof.
CHARACTER OF LOCALITY	Sited within a residential area, mix of various types of dwellings within the locality.

RELEVANT SITE HISTORY

None

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Within the built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

South East Plan:

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application seeks permission for a single storey, flat roof side extension. The site is located within the built-up area of Littlehampton, with the locality characterised by various types and styles of dwellings.

AMENITY

The proposed addition would be partly viewed within the street scene, however it is not considered to alter the appearance of the building with the extension proposed to infill a section between the existing dwelling and neighbouring block of flats. The only change to the appearance of the dwelling would be the reduction in the depth of the recess between the principal elevation of 1 Mountbatten Court and the adjoining 2 storey block of flats.

The proposed extension would abut the 2 storey flank wall of the adjoining block of flats, therefore it is not considered to impact upon the private amenity of adjoining neighbouring properties.

It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plan:

Drawing No. AN/MBC/LW/001.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies DEV19 and GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

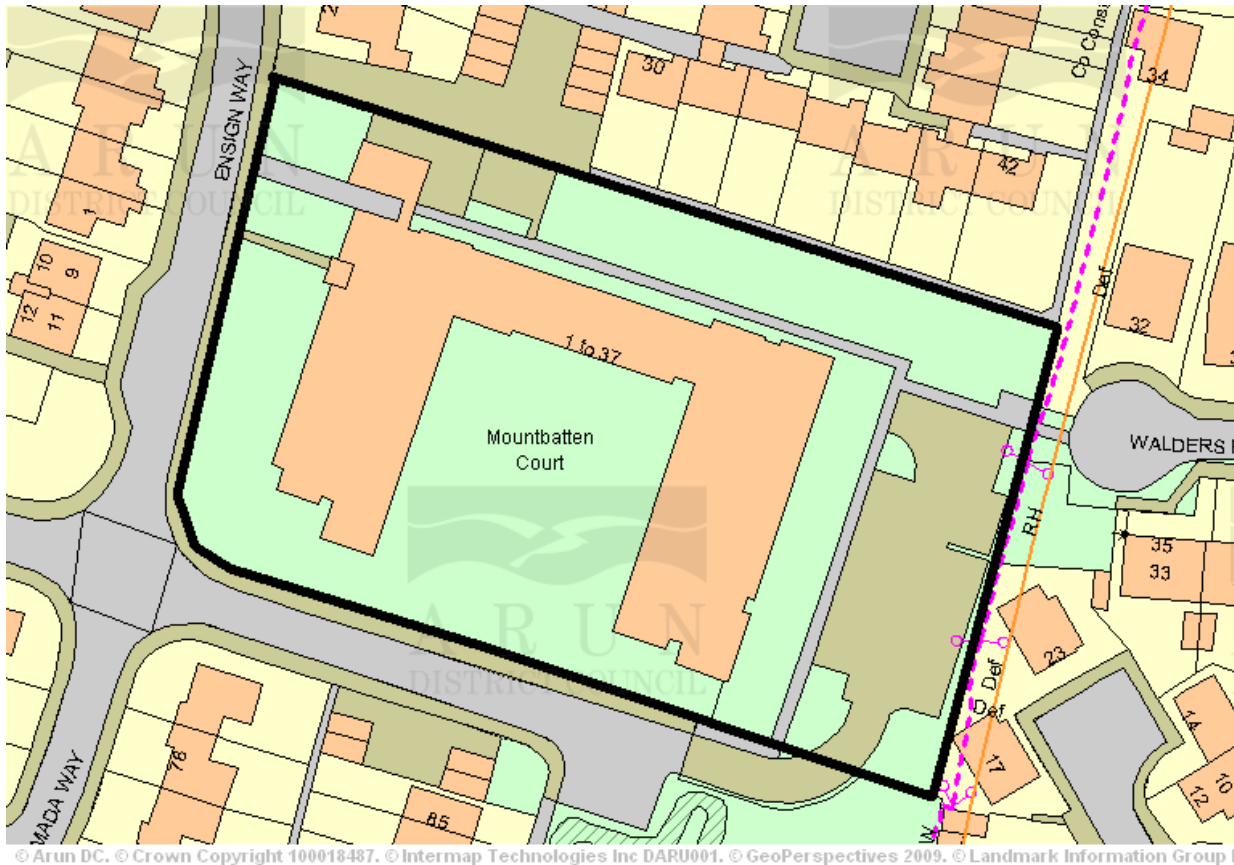
NATIONAL POLICIES: PPS1

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LU/354/10/ Indicative Location Plan

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PLANNING APPLICATION REPORT

REF NO: FG/144/10/

LOCATION: North Barn Nursery
Littlehampton Road
Ferring

PROPOSAL: Replacement agricultural dwelling and garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is a resubmission of an unimplemented planning permission for a 2 storey agricultural dwelling and garage.
SITE AREA	0.17 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	6 dwellings per hectare
TOPOGRAPHY	Slight rising ground up from the road, mostly flat. On base of Highdown Hill.
TREES	Poplar trees planted in row formation approximately 5m high to rear of glasshouse and along side boundary.
BOUNDARY TREATMENT	Side boundary trees and wire fencing. To rear open picket fencing and paddock beyond. Fencing 1.8m close boarded to rear area of mobile home.
SITE CHARACTERISTICS	The site is a grass area situated adjacent to the chicken houses and chicken runs. To the front of the site are the greenhouses which grow horticultural produce.
CHARACTER OF LOCALITY	Rural location north of the A259 with Highdown Hill to the rear. The adjacent site (Vinery) has a large house which is constructed virtually in line with the proposed site with another dwelling (MacIntyres) beyond that. Touring caravan next to parked cars adjacent to occupied mobile home.

RELEVANT SITE HISTORY

FG/22/06/	Revised design of dwelling (Resubmission following FG/111/05)	Approve Cond 18-04-2006
FG/111/05/	Replacement agricultural dwelling and garage (Departure from the Development Plan)	Approve Cond 26-10-2005

FG/151/03/	Details in pursuance of outline planning permission FG/103/02 for the erection of farm workers dwelling. (This application is a Departure from the Development Plan)	Withdrawn 03-12-2003
FG/30/01/	Erection of glasshouses & potting/packing sheds	Approve Cond 15-06-2001
FG/49/99/	Outline application for one dwelling to replace mobile home for agricultural worker	Refused 14-07-1999

Appeal: Allowed
03 12 1999

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Objection: The proposed development would infringe the provisions of policy GEN1 in that it would not enhance the essential character of the area, the general attractiveness and diversity of the landscape and would be outside the designated built up area.

However, the parish is also mindful of the Planning Authority's previous decisions in this matter and if permission is granted it wishes to see previous conditions imposed namely Conditions 3, 4 and 5 as applied to FG/22/06.

Ferring Roads Scheme Association

This is clearly not an agricultural worker's cottage, but a proper residential dwelling nothing to do with agricultural use. This is objectional development on the foothills of the South Downs.

Ferring Conservation Group

Objection: Application is to build a large house on previously undeveloped land outside the built-up area of Ferring.

The justification given is that it is an agricultural worker's cottage, essential to meet the needs of the plant nursery/egg farm because the present mobile home building is dilapidated and must be replaced. However, the proposed building is of a very different character from the one it seeks to replace:

- permanently rather than temporary
- in the style of an Executive Home rather than an agricultural worker's cottage
- located in a much more attractive position

This area between the Littlehampton Road and the National Park is under continuous pressure from industrial, commercial and residential development: every additional building undermines its semi-rural character and provides a precedent for further development. A house which is built for an agricultural purpose can easily be divorced from that purpose when the land changes ownership or use.

The proposed building can hardly be essential as there has been unimplemented planning permission for such a building for the last five years.

We urge that the Council takes a very strict view of what is an essential replacement of the

existing mobile home and refuses this application.

2 letters of support

This is a small development to allow the applicant to trade as a traditional nurseryman. Unsavory characters would disseminate the future of this family business if on site accommodation was not provided. It is important for resident presence to be on site, particularly when livestock are involved. Overall, this is a very vulnerable business and site, especially in the current economic climate, with the impossibility of securing glasshouses as you would a brick building. There are no neighbours close enough to notice anything untoward so any security breaks would go unnoticed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comment on Parish Council Representations

GEN1 is not the only planning policy consideration. Policies GEN3 and DEV7 are also relevant as is PPS7 and the proposal is considered to comply with these. The application is recommended for approval subject to the conditions previously imposed on FG/111/05.

The mobile home is occupied by staff. Relatively new hen houses have been provided north of the site and have provided an area 96m x 65m approximately for free range chickens. Additionally, the current owner has erected a greenhouse 70m x 35m in which horticultural produce is grown. This proposed siting would allow constant surveillance of both the chickens and the plants in the greenhouse. The principle of an agricultural dwelling has previously been established on the site. The siting is adjacent to the dwelling in the vineyard adjacent. The site was granted permission in 1997 for a temporary period of 3 years. Following this a permanent dwelling was granted in 1999 on appeal and since then there has been a further permission in 2005. The permission for a temporary dwelling has long since expired and despite permissions going back 11 years no dwelling has been built on site. The application has therefore been submitted with supporting information as required by Annex A of PPS7.

Additional Comments relating to Other Representations

The proposed dwelling has 2 bedrooms and is of a modest size commensurate with the needs of the nursery it is not an Executive Home.

CONSULTATIONS

WSCC Local Development Divis.

CONSULTATION RESPONSES RECEIVED:

County Highways

No objection. There are no proposed alterations to the access onto the highway and there are no anticipated increases in vehicle movements at the site. No anticipated highway safety implications.

COMMENTS ON CONSULTATION RESPONSES:

Noted

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Class A Road

Article 4 Direction: To remove all agricultural Permitted Development Rights

Public Right of Way

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

GEN3

Protection of the Countryside

GEN7 DEV7	The Form of New Development Agricultural Workers' Dwellings
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South East Plan:

PLANNING POLICY GUIDANCE

PPS1 PPS7	Delivering Sustainable Development Sustainable development in rural areas
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POLICY COMMENTARY

The above policies combine to describe the Development Control criteria against which all proposals are determined by the Authority particularly with regard to the effect on the agricultural nursery and countryside.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that the dwelling is for an agricultural worker with a restrictive condition. The principle of an agricultural dwelling has been established by previously being granted consent at appeal and updated information has been submitted with this application. This application refers to the northward position of the dwelling where it is better placed to view the greenhouses and the flock of free range chickens which are subject of attacks by foxes. The previous owner sited a mobile home to the front of the site adjacent to a limited flock of chickens who were housed in the Nissan Huts. This mobile home which is currently occupied by an agricultural worker are currently monitoring the chickens, and will be removed prior to the occupation of the new dwellings. The proposal accords with GEN3 in that it meets the operational needs of agriculture and with DEV7 and PPS3 as it has satisfied the functional test.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

The principle of a dwelling was previously established in outline form to replace the mobile home at the front of the site (FG/49/99). Following this approval, the site was sold and the current owner established the growth of plants by the erection of greenhouses to the front of the proposed dwelling. The later application FG/111/05 granted planning permission for a 2 storey dwelling and garage in a revised northerly position. This revised siting is more satisfactory as it allows better surveillance of the chicken flock and the nursery plants.

Functional Test

The functional test was previously accepted and agreed on much less activity than the current agricultural use and this application includes additional, updated information to address this issue. The applicant has advised that if anything the risks of not being on site are greater now than they were 5 years ago. The applicant has run Lansdowne Nursery since 1975, albeit on a different site

for some of that time and the business has been running profitably for 35 years. Turnover has increased in the last 5 years. There is a need to safeguard greenhouse crops from frost, boiler breakdown and vigilance with regard to foxes and chickens. However it is not accepted that it is necessarily essential to live on site to protect crops from frost or boiler breakdown, alarms and triggers linked to temperature can be fitted. There have been many fox attacks on the site and hens lost to theft. Chicken coop break ins have been violent with several casualties and this causes hens to go off lay which is a serious condition and drastically affects revenue. Whilst some surveillance is carried out from the existing mobile home visibility of the nursery and chickens is limited by its design and location. The accommodation is also of a temporary nature and is in a poor state repair, nearing the end of its life.

Financial Investment

The applicant has invested in the business since his purchase in 2000. At this time the hens were housed in 9 dilapidated unserviceable inadequate coops. These have been replaced by 2 walk-in coops which are more easily cleaned and are better ventilated with feed and water available 24 hours. The chicken runs have been improved with a new perimeter fence, incorporating an electric fence. 2 new low level structures providing protection against extreme weather have also been provided.

The nursery has also seen investment in plant transplanting machines, pots and tray filling machines and a new irrigation system. The number of boilers has increased from 1 to 3 and the propagating area has also been updated with better equipment and benches. A wider range of plants are now produced. The previous owner of North Barn Nurseries had 1 full time employee, now there are 6 and a part-time worker.

The previous permission FG/111/05 expired on 26th October 2010 so it was still live when the application was received on 24th September 2010. The applicant has advised that due to the recession he has not had the finance to implement permission FG/22/06. Finance is now available and it is intended to start works as soon as permission is granted. The existing mobile home is still utilised and is in a poor state of repair and is not ideally located in terms of safety and maintenance requirements of the nursery.

Visual Amenity and Character

With regard to the size and position of the dwelling and garage these elements are virtually the same as previously approved. The size of the dwelling is commensurate with the needs of the nursery and is comparable to that on the adjoining horticultural site at The Vinery. The design is in keeping with stained weatherboarding elevations and a slate roof reflecting other buildings in the locality. Its location would benefit from existing landscaping and structures which would reduce the impact of the building in its rural setting.

The proposed agricultural worker's dwelling will not have any adverse effects on the countryside as the site is well screened behind the greenhouse and is parallel to agricultural dwellings at the Vinery and MacIntyres. A house of similar size has been granted consent on the adjacent side of the Vineyard in approximately the same location. The 2 bedroom dwelling is considered to be reasonable in terms of its size and commensurate with the needs of the nursery.

Affordable Housing

The application does not warrant contributions towards affordable housing since the dwelling would be subject to an occupancy condition which would lower the market value of the property itself and restrict its resale on the open market.

The application is therefore recommended for approval subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans 06revD, 04revH and 07revA.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed dwelling have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry, including any dependents of such a person residing with him or her, or a widow or widower of such a person.

Reason: The site lies in a rural area where in accordance with Arun District Local Plan policy DEV7 where development unrelated to the essential needs of agriculture and/or forestry would not normally be permitted.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policy GEN7 of the Arun District Local Plan.

- 6 Prior to the occupation of the development hereby approved the mobile home currently on site shall be dismantled and permanently removed from the site.

Reason: The site lies in a rural area where development unrelated to the essential needs of agriculture and/or forestry would not normally be permitted in accordance with GEN3 and DEV7 of Arun District Local Plan and because the application is for a replacement dwelling and two dwellings on the site would not be permitted.

- 7 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential

amenity on the surrounding area and its character and an essential need has been demonstrated and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3,GEN7,DEV7

SOUTH EAST PLAN:C4

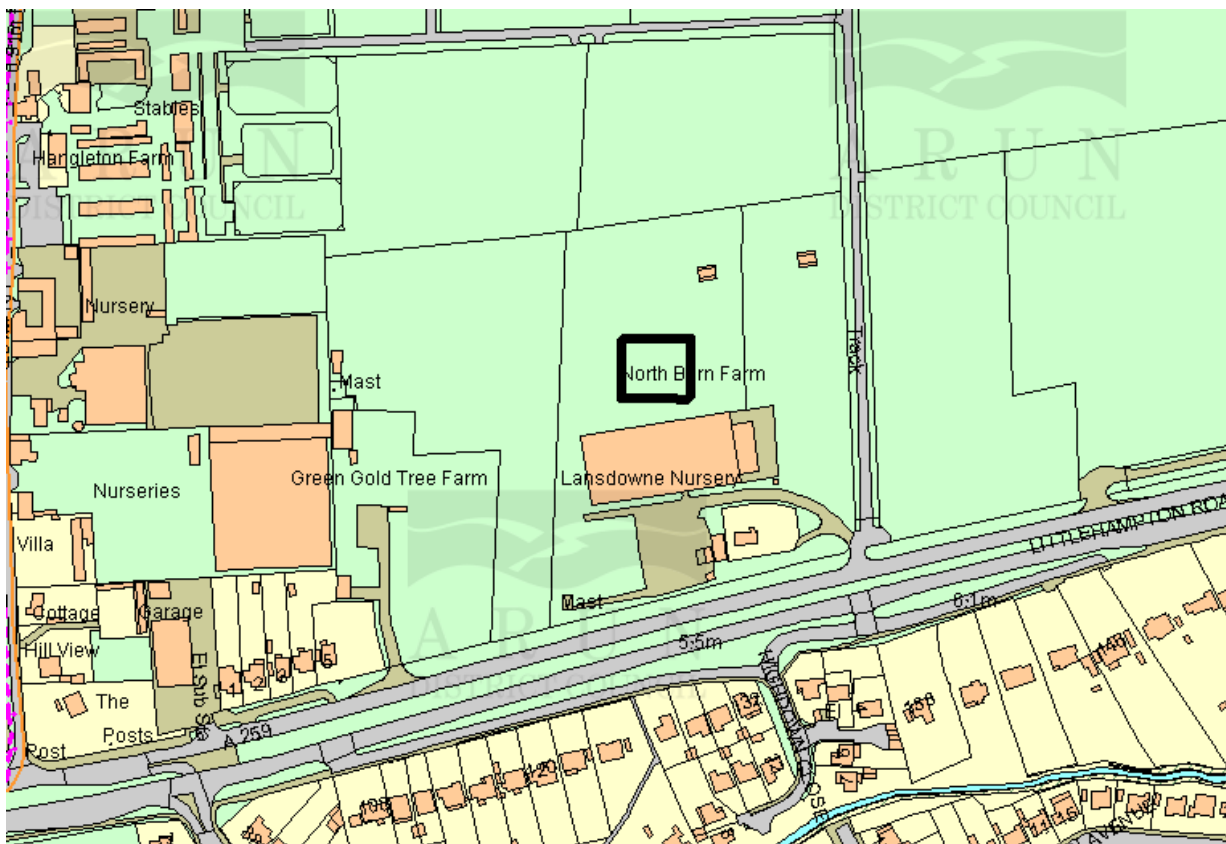
NATIONAL POLICIES: PPS1,PPS3,PPS7

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

FG/144/10/ Indicative Location Plan

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PLANNING APPLICATION REPORT

REF NO: FP/225/10/

LOCATION: 66 Glynde Crescent
Bognor Regis

PROPOSAL: Single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey extension measures approximately 2m in width to the front, rear projection of 8.13m, depth of 4m to rear and a maximum height of 3.5m.
SITE AREA	Approximately 208 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has paved area and is open to the highway, north and south side boundaries close boarded fencing approximately 1.8m in height, rear close boarded fencing on concrete plinth approximately 2m in height.
SITE CHARACTERISTICS	Semi-detached two storey property with front dormer. Property has previously been extended with a two storey extension on the rear. The property has light brown brickwork, brown tiled roof with white window frames, red tile hanging on dormers.
CHARACTER OF LOCALITY	Residential comprising detached, semi-detached, terraced properties of various styles and designs.

RELEVANT SITE HISTORY

FP/110/85	New porch and ground floor and first floor rear extension	Approve Cond 16-09-1985
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council
Awaited

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
PDR re Open Plan Condition
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

South East Plan:

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

The detached two storey semi-detached property lies within the built up area where the principle

of development is acceptable subject to its compliance with relevant planning policies. In this instance the main policy considerations are set out in GEN7 and DEV19 of the Arun District Local Plan and seek to prevent adverse impacts towards visual and residential amenities.

Visual Amenity

The property has previously been extended with a two storey extension that is sited on the rear northerly side of the dwelling. The application seeks to construct a single storey extension that will be sited on the southern side of the dwelling and will link up with the two storey element on the rear. The proposed extension will be set back from the front of the dwelling by approximately 4.3m and from the front boundary by approximately 12m. It will be sited approximately 0.6m from the south side boundary with the neighbouring property No 64. It will have a width of 1.97m at the front with a side projection of 8.13m and a depth of 4m at the rear and the hipped roof will have a maximum height of 3.5m. Although built close to the southern side boundary it is well set back from the front boundary so it is not considered that this will compromise the open and spacious character of the street scene. There is also close boarded fencing approximately 1.8m in height on the southern boundary, thereby contributing to the screening of the property. It is considered that the proposed extension will relate sympathetically towards the existing dwelling in terms of design and scale and the use of a pitched roof will integrate with the existing dwelling.

Residential Amenity

The neighbouring property to the south No 64 has a garage that is sited to the boundary with No 66. The main dwelling is sited approximately 3m away from the proposed extension and on the northern side elevation facing the extension there is an ancillary kitchen window. The proposal has no windows on the flank wall of the extension fronting No 64 but there are five roof lights. These roof lights are positioned 2.8m above floor level and, therefore, it is considered that they will not create any harmful overlooking its main purpose being to increase light into the kitchen area. Due to its single storey height and adequate screening it is not considered that the extension would detrimentally harm the occupiers of No 64 or any other property by way of overbearing affect, harmful overshadowing, overlooking or loss of privacy.

Summary

The extension being set back from the front boundary by approximately 12m would not be obtrusive in the street scene, nor would it harm the character and appearance of the surrounding residential area or have a significant impact on residential amenity.

It is therefore recommended that the application be approved, subject to the following conditions,

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans: Site/Elevations/Floor/Section/Roof Drg No 66gl/gs/LW/001 received on 4th November 2010.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

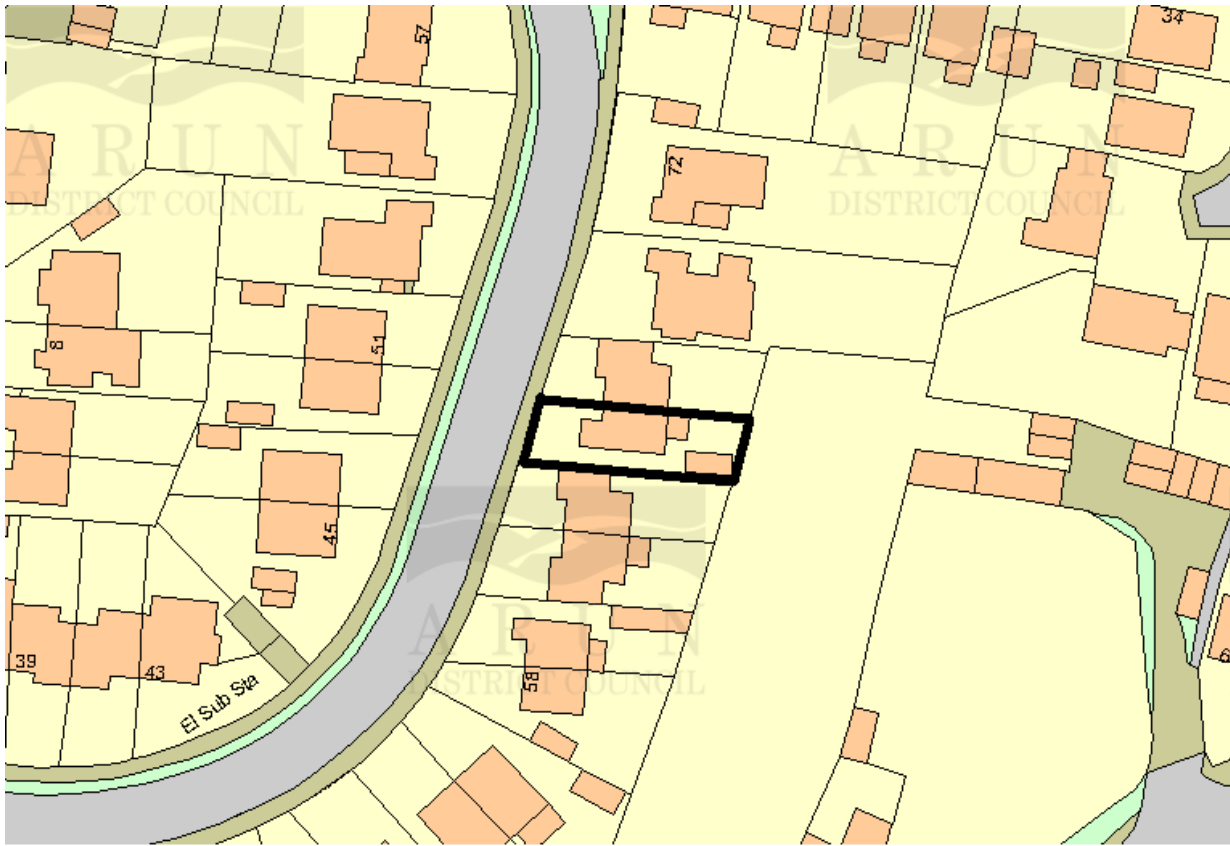
NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

FP/225/10/ Indicative Location Plan

(Do not Scale or Copy)

(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT**REF NO:** EG/63/10/**LOCATION:** Greenoaks
Barnham Road
Barnham**PROPOSAL:** Revised application for redevelopment of land to provide for the erection of 13 new dwellings to include 4x2 bed. semi-detached houses, 4x3 bed. semi-detached houses, 4x4 bed. detached houses and 1x5 bed. detached house together with associated access, car parking and landscaping (Re-submission of planning ref: EG/4/10/).**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The 13 houses are proposed as a continuation and located immediately to the south of the development (land to the rear of 12-18 Downview Road and adjacent to 7 Ewens Gardens), currently under construction, of 3 detached and 8 semi detached 2 storey houses (approval reference EG/15/07).
SITE AREA	0.485 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	27 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. A belt of conifer trees located along the western boundary of the site are proposed to be felled and replaced by a similar length of native trees.
BOUNDARY TREATMENT	The western boundary is marked by a line of tall conifer trees adjacent to the Barnham/Eastergate Gap. The eastern boundary is made up of a variety of trees located to the rear gardens of dwellings in Downview Road. The northern boundary is a hoarding directly connecting the application site onto the site approved under EG/15/07. The southern boundary is presently part of the rear garden of the property Greenoaks located on the Barnham Road.
SITE CHARACTERISTICS	Residential garden land belonging to the property Greenoaks.
CHARACTER OF LOCALITY	Residential. Downview Road is a mix of detached dwellings of individual styles. Barnham Road as it approaches the Parish of Eastergate is semi rural and adjacent to the Barnham/Eastergate Local Gap.

RELEVANT SITE HISTORY

EG/40/10/	Outline application with some matters reserved for the erection of a new building and demolition of existing buildings	Approve Cond 23-07-2010
EG/4/10/	Redevelopment of land to provide for the erection of 13 new dwellings to include 4 x 2 bedroom semi-detached houses, 4 x 3 bedroom semi-detached houses, 4 x 4 bedroom detached houses and 1 x 5 bedroom detached house together with associated access, car parking and landscaping.	Refused 06-05-2010
EG/74/07/	Demolition of no 12 Downview Road and erection of 11 no dwellings, vehicular access, parking and garaging, public open space and landscaping. (Resubmission of EG/15/07)	Refused 16-01-2008
EG/64/06/	Demolition of existing and erection of 8 no. dwellings, vehicular access, parking and garaging and landscaping (Duplicate application with EG/65/06)	Refused 14-09-2006
EG/35/99/	Proposed change from bungalow to chalet bungalow (plot 2) approved under EG/4/98	Approve Cond 06-07-1999
EG/4/98	Development consisting of one chalet bungalow and one bungalow and alterations to existing bungalow to form new site access	Refused 08-04-1998
		Appeal: Allowed 25 08 1998

An appeal is currently undergoing consideration against the refusal of EG/4/10. Supporting statements from the Council and the developers are due to be submitted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Eastergate Parish Council

Objection.

At 26.8 dwellings per hectare this is excessive density. It will have a detrimental impact on the adjacent local gap and area of special character. Insufficient infrastructure to support the proposal and concerned by potential impact on traffic and surface and foul water drainage in an area which is well known to flooding and a public sewer that is unable to cope with increased sewerage levels. The proposed aerobic system (on site sewerage plant) is inappropriate and will result in unacceptable run off to surrounding properties.

West Sussex Wildlife Protection

Land needs checking for possible wildlife

Downview Private Road Association

64 letters of objection

Foul sewage backs up through the system onto neighbouring homes. The proposal will exacerbate this problem and lead to serious health effects.

Development will add cars to local roads and worsen highway safety for local people. A combined access for Chantry Mead development and this proposal is unacceptable and cause difficulty for emergency vehicles. Access onto Downview Road, which is privately maintained, is inadequate to deal with increased traffic. Unfair to expect current residents to meet its repair bill. Downview Road should be avoided and access should be diverted to Barnham Road.

Development similar to refusal EG/98/05 which was upheld on appeal. The proposal is to build on the local gap.

The area appears to have become an area for development and permission here would set a precedent elsewhere in the vicinity.

An inappropriate form of backland development in conflict with local character and neighbouring amenity.

Planning error when drawing the built up area boundary has immorally not been corrected. This constitutes garden grabbing at odds with current government policy.

Insufficient local infrastructure to deal with increase in residents.

The proposed soakaways and French drain will prove inadequate. Environment Agency objection on drainage grounds.

The removal of the western boundary hedge (considered to be an important screen by Inspector on EG/15/07) will have a large visual impact from Barnham Road. It will not be many years before the replacement trees provide a green boundary. Proposed gardens are too small for further tree planting.

The owner of Greenoaks is not affected as he does not live there. Motivated by greed.

Surprised to see no evidence of reptiles found.

The development offers no affordable housing.

It will adversely affect property values.

It will result in an unsustainable increase in car use.

COMMENTS ON REPRESENTATIONS RECEIVED:

Recent revision to national guidance (PPS3) has deleted reference to density limits.

Refusal to application reference EG/4/10 did not raise as a reason for refusal an unacceptable impact on local gap and the area's character and appearance.

Infrastructure requirements will be secured via a s106 agreement. Highway matters were assessed as part of EG/4/10 and considered acceptable.

The applicants are no longer proposing to provide an on site sewage disposal system but rather connect on to the existing public foul sewage system which is considered by the Environment Agency, Southern Water and the Council's engineers department as an acceptable arrangement. Proposals for surface water drainage have also been considered

acceptable by the above agencies.

The applicant's have carried out a qualified ecological assessment which does not point out that protected species are endangered by the proposal.

Unlike this proposal EG/98/05 proposed the demolition of a dwelling fronting Downview Road which was considered by the Inspector as resulting in unacceptable harm to local character and appearance.

Other than Ewans Gardens other proposals for large scale development in Downview Road such as Chantry Mead (application reference EG/15/07), abutting the application site to the north, have been refused by the Council and allowed on appeal. The Inspector for the appeal on EG/15/07 considered that the conifer screen, on the west boundary, offered only glimpses of the site and therefore was of the opinion that the local gap would not be detrimentally harmed by development. In this case whilst the conifer screen, which is considered to provide little amenity value, is to be removed and replaced by a native tree screen, this will enhance the value of the adjacent local gap and not detract from it, a view shared by the Council's arboricultural officer.

The amendment to PPS3 regarding development on garden land tilts the balance away from a presumption for development on garden land to a neutral stance. In this case given the self containment of the development and limited views from public vantage points such garden land development is not considered to have an unacceptable impact.

Impact on property values is not a material planning consideration.

As this proposal is for fewer than 25 dwellings and is a site less than 0.8 hectares there is no Arun District Local Plan policy requirement for affordable housing. The Council's current interim affordable housing policy which applies to all developments proposing over 1 unit does not apply in this case as negotiations commenced before this policy was approved by Members.

The Council has no control over car ownership and residential development within built up areas is acceptable in principle.

CONSULTATIONS

Parks and Landscapes

Environment Agency

Southern Water Planning

WSCC Local Development Divis.

CONSULTATION RESPONSES RECEIVED:

Environment Agency

Providing the application connects to the public sewer system for foul drainage the Agency has no objection. The Environment Agency is satisfied with the applicant's revised flood risk assessment.

Arun District Council Engineer's

No objections subject to conditions concerning the drainage of surface water by a Sustainable Urban Drainage System (SUDS).

Southern Water

They recommend that a condition be imposed requiring that the applicants make an application to SW to connect to the main sewer. SUDS rely upon facilities which are not adoptable by sewerage undertakers and therefore it is essential that measures/conditions are taken/imposed

to ensure their long term maintenance.

West Sussex Highways

As this application is from a highways point of view identical to EG/4/10 the same comments apply in this case. The site is to be accessed by way of a new access road forming part of the approved application EG/15/07. This road has been designed in accordance with principles contained in Manual for Streets. The use of a shared surface is acceptable as traffic will be low and slow moving. Improved visibility levels at Downview Road have been secured as part of EG/15/07 which will make increased use of Downview Road junction acceptable.

West Sussex Archeology

It is recommended that being part of coastal plain a condition be imposed so as to record any finds.

West Sussex County Council Infrastructure

Financial contributions for education, library and fire facilities are required.

Landscapes Sections

The evergreen conifer hedge is a dominant feature and can be clearly seen within the strategic gap and from the highway. The development proposal includes the felling of the conifer hedge. This proposal will provide an opportunity to plant with native species which can enhance the rural character of the local landscape and provide good habitat and food source for wildlife towards increasing local biodiversity.

The Landscape Proposal L90-200 selects only four tree species for consideration and due to their restricted mature size and minimal distance from the proposed development would appear appropriate. All are attractive trees and could also include Wild Service Tree (*Sorbus torminalis*) and Crab Apple (*Malus sylvestris*). However the trees would not be sufficient to provide a screen between each of their bare main stems.

In addition to the trees I would recommend a native shrub layer to consist, for example, of Blackthorn, Hawthorn, Hazel, Alder Buckthorn, Guelder Rose, Sallow and Spindle. The selected trees could grow individually as specimens interspersed randomly as groups at varying spacings of approximately 4-6m within this low and dense shrub layer. This theme should continue the whole length of the western boundary.

The Hornbeam hedge planting proposed to the side of plot 10 would appear as too formal and urbanised in contrast with the rural theme and is therefore not desirable. The select planting of dense hedging stock consisting of Hawthorn, Blackthorn with the introduction of specimen trees such as Birch, Hornbeam and Field Maple would help to break up the formal line and maintain the rural character.

It is not appropriate to lay paving or any hard and impervious surface within the mature rooting areas of a hedge or tree. These surfaces would be prone to damage caused by woody root growths to cause unevenness and a hazard. A porous surface is therefore recommended within a suggested influential zone (an area where concentrated woody root growth and damage tend to occur) of 3m from the tree/hedge line.

The only tree group to be categorised B with potential to provide good screening and amenity to the north east part of the site are the healthy and mature Hornbeam trees marked G47 on the survey. The main access route is proposed to pass beneath the line of trees and the special surface within the tree consultants arboricultural report should prevent major disruption to the healthy function of underlying roots.

The trees forming G47 have an established, low and large diameter (approximate diameters of 220mm) limb structure. These limbs will be removed as part of the proposed 5m crownlift. This is considered excessive as their removal will result in large pruning wounds prone to decay and sap bleeding and create a weight shift and crown imbalance towards the east.

An option to remove these trees and provide compensatory planting elsewhere should be a consideration. However if the trees are to be retained it is recommended that the 20% reduction should include the whole crown and not just that part from the west side.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions recommended by Environment Agency, ADC Engineers and Southern Water to secure satisfactory surface and foul water drainage will be imposed.

A section 106 agreement will be entered into so as to secure financial infrastructure requirements.

The requirements sought by the landscapes section can be incorporated as part of conditions concerning the proposed landscaping of the site.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary.
Class B road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN11	Inland Flooding
	GEN7	The Form of New Development
	GEN8	Development and the Provision of Infrastructure
	GEN12	Parking in New Development
	GEN20	Provision of Public Open Space within New Development
	GEN27	Landscape Diversity
	GEN28	Trees and Woodlands
	GEN9	Foul and Surface Water Drainage
South East Plan:	SEPH5	Housing Design and Density
	SEPH1	Regional Housing Provision 2006-2026

PLANNING POLICY GUIDANCE

PPG16	Archaeology and Planning (OLD)
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS25	Development and Flood Risk
PPS3	Housing
PPS9	Biodiversity & Geological Conservation

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity as well as drainage/flooding matters.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. Also following the advice of drainage undertakers including the Environment Agency and Southern Water the site can be satisfactorily drained and the proposal will not have an unacceptable impact by way of flooding.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

This proposal is a resubmission of application reference EG/4/10 which was refused for the following three reasons:

- (1) the applicants submitted flood risk assessment was considered unacceptable by the Environment Agency (EA)
- (2) the applicant's proposal to provide an on site plant to deal with foul sewerage disposal was considered unacceptable by the EA and the Council's Engineers
- (3) the replacement tree screen on the west elevation was considered to be unsustainable due to its close proximity to the proposed properties i.e. less than 10 metres.

An assessment of the proposal's impact on visual and residential amenity, the adjacent local local gap and highway safety was undertaken and these were considered to be acceptable.

Since EG/4/10 was considered the South East Plan has come back into operation and there is a renewed pressure on the Council to meet its 5 year supply of housing.

5 Year Housing land supply

Para 71 of PPS3 states that;

'Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.'

The assessment of the application proposals against paragraph 69 of PPS3 will be outlined below. In respect of paragraph 71 of PPS3, The Council's Annual Monitoring Report (December 2009) confirmed that the Council was unable to demonstrate a 5 year housing land supply. This conclusion was reached on the basis of the housing requirements in the South East Plan.

The Council has adopted an interim requirement until such time as a new formal requirement is established; this has been agreed as 465 dwellings per year. However, the requirements of the development plan (in this case, the South East Plan) take precedence. This requires an annual figure (over 20 years) of 565 dwellings/year. Since the date of adoption, Arun DC has not delivered sufficient dwellings against this requirement and the requirements for the remainder of

the plan period (up to 2026) are therefore rising.

The Council has a shortfall in housing supply at 31 March 2010 and therefore the proposals should be considered favourably in accordance with PPS3. The position of providing and maintaining an adequate housing land supply is therefore imperative on granting planning permission for new housing development.

The planning Inspector in granting permission for the northern site EG/15/07 stated that "The proposal would provide a net gain of 10 houses to the Council's housing stock. Taking account of the absence of a five year supply of housing land I consider this to be a benefit of the proposal."

In this case as the case was first considered before the introduction of the Council's interim affordable housing policy in August it has been decided that no affordable housing contribution should be sought.

Flooding

The site lies in an area where foul and surface water drainage is of concern. Severe flooding has taken place within Barnham over recent years. Therefore any development must address any potential flooding.

The Environment Agency and the Council's Engineers are now satisfied with the information submitted in the Flood Risk Assessment Report (FRA) submitted with the application and have raised no objection regarding possible flooding from the development subject to the imposition of appropriate conditions.

With respect to the site to the north the Inspector stated that whilst she noted the concerns of residents relating to problems with standing water and previous flooding with the evidence before her she stated that "subject to suitable maintenance, the proposal would not result in an increased risk of flooding to the surrounding properties and would comply with local plan policy GEN9 and the guidance in PPS25."

Sewerage Issues

In the preceding application reference EG/4/10 the Environment Agency had objections regarding the dispersal of sewage from the implementation of an on site plant. However, this application proposes foul disposal by connecting to the main sewer. Southern Water have confirmed that there is sufficient capacity in the main sewer for satisfactory foul disposal to take place and the Environment Agency no longer raises an objection as it favours connection to the main sewer rather than from an on site sewage disposal plant.

The appeal Inspector on the northern site stated that "At the Inquiry concerns were raised about impact of the proposal on the capacity of the sewers and local infrastructure. However, there is no objection to the proposal on these grounds from the Council, the Environment Agency or Southern Water."

Visual Amenity

The density of the proposal reflects the pattern of development within Downview Road and specially to the adjacent site currently under construction known as Chantry Mead. The siting and layout of plots 1-9 are considered similar to the five plots to the north of the site on Chantry Mead. The design which is a mix of gable ends and barn end roofs reflects that of the mix within Downview Road and those on Chantry Mead. The site is currently screened along the rear boundary (facing onto the gap and viewed from Barnham Road). It is proposed to remove these inappropriate intrusive trees and replace them with a native tree screen. Provided that this is of an appropriate height this would be a visual enhancement. Leylandii do become unsightly over time

and provide little ecological value. It is considered that a native species would be more visually pleasing and enhance the areas rural character to the west. This tree screen would be noticeably lost, but it is not considered that the resultant view of the new dwellings, set back from Barnham Road by 400m would result in any significant visual harm, subject to a suitable replacement screen. The proposed screen would integrate the development better into its semi-rural surroundings.

The proposed garages are typical traditional garages as found throughout Downview Road and Elm Grove. The semi detached dwellings are well designed to visually appear as large detached houses. This is achieved by gable frontages projecting with barn hips behind. This provides a visual variety within the street scene and is representative of the surrounding existing dwellings.

Effects on the Local Gap

Greenoaks is adjacent to the boundary of the Local Gap as is the development under construction in Chantry mead (reference EG/15/07).It is considered that the proposal does not impact significantly upon the Local Gap. The site is screened from the Gap and adjacent development of Poling Motors by a tree *Leylandii* screen. It is proposed to remove these and replace them with native trees. This would long term be a visual enhancement.

The Inspector when allowing the appeal on the northern site EG/15/07 and granting permission for 10 dwellings stated that "in my view the appeal proposal would not undermine the function of the Barnham/Eastergate Gap."

Residential Amenity

The distance between the rear of the properties in Downview Road and the proposed dwellings is approximately 60m, therefore it is considered that this would not result in any significant or direct overlooking. There is a distance of 38m from the rear of plot 11 to the rear of Green Oaks which is considered to be a satisfactory distance which would not result in any significant or direct overlooking between properties. The rear elevations of plots 11, 12 and 13 which are directly to the rear of Green Oaks are designed in keeping with the design of Green Oaks.

Highway Issues

The proposal is to use the newly created access approved under EG/15/07. No new access is proposed and County Highways have raised no objections. The level of car parking provision is in accordance with maximum parking standards.

Ecology Issues

The applicant has provided an ecological survey which recommends early identity of slow worms to move them to safer ground and to undertake a bat survey of any trees to be removed. Landscapes have recommended a new survey be undertaken to make sure no protected species are on site.

Arboricultural Report

An Arboricultural Report has been included. There is a recommendation to remove several trees to accommodate the development. Of significant interest is the loss of the *Leylandii* screen on the western boundary. The report states that the trees are in poor condition and suffering stem breakage and windthrow. They are too high and inappropriate. This would be an opportunity to replace with more appropriate native trees, which over time would provide a much better visual screen. New planting will be submitted as part of a landscaping scheme. Tree protection measures are included in the report. The landscape section previously raised an objection as the distance between the replacement tree screen and the proposed dwellings would be less than the required 10m. This has been taken on board by the applicants and acceptable distances are now proposed.

Public Open Space and other infrastructure provisions

It is proposed to provide 700 sq.m of open space which is in line with the Council guidelines on open space standards. A £13,000 commuted sum is required to meet the play areas obligation. The development will generate £107,681 worth of additional education, library and fire services. A section 106 legal agreement is being progressed to tie up these financial contributions and it is expected that it be signed and sealed by the time committee meets to consider this application.

Summary

In principle the proposed development is acceptable in terms of size, siting, design and access. The FRA has demonstrated satisfactorily that the proposal can be developed without causing potential flooding. The Parks and Landscapes section are no longer concerned that the proposed tree

screen on the western boundary would result in pressure from the proposed residents for removal of the trees in the future as the recommended 10m strip has now been provided. There is no longer an unacceptable risk of pollution to water quality from the previous proposal to use an on site sewage disposal system. This has been deleted in favour of using the existing main sewer network which is considered by Southern Water to possess sufficient capacity. Therefore it is recommended that the application is approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 Before any development takes place a nature management scheme for the area shown on the attached plan shall be submitted to and approved by the Local Planning Authority. The approved details shall be carried out prior to the occupation of the dwellings.

Reason: To conserve the wildlife interest of an important natural habitat in accordance with policy GEN29 of the Arun District Local Plan.

- 3 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 five years from the completion of 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The development hereby permitted shall not be occupied until trees and shrubs of species to be approved by the Local Planning Authority have been planted along the western boundary. In the event that any such trees or shrubs die or become seriously damaged or diseased within a period of 5 years following planting they shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft surfacing, which shall include indication of all proposed and existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and for the proposed Hornbeam Hedge on the the south west boundary, measures for its protection and maintenance thereafter. The approved details shall be implemented prior to the occupation of any dwelling.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The dwellings hereby approved shall not be occupied until the access road, parking spaces, turning facilities and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any other purpose.

Reason

In the interest of off road parking and road safety in accordance with policy GEN7 of the Arun District Council.

- 7 The development shall not commence until details of the foul water drainage system have been submitted to and approved by the Local Planning Authority. No building shall be occupied until the foul drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7, GEN9 of the Arun District Local Plan.

- 8 Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles, and including an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. Proposals must include a "Surface water Management Statement, or a SUDS Design Statement" detailing the management train processes. The submission shall also include details of how the scheme will be maintained and managed after completion. The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of these in accordance with PPS25 and with policies GEN7, GEN9, GEN11 of the Arun District Local Plan.

- 9 Development shall not commence until the developer provides a management and maintenance plan in the form of a site specific Maintenance Manual for the SUDS system for the lifetime of the development, for the written approval of the local planning authority. This Manual shall also include details of the Financial management and for the replacement of all infiltration devices, soakaways and permeable pavements. The plan should also outline the methods by which the permeable pavements will be cleaned to ensure optimum performance and how the 'NO DIG ZONE' will be managed to ensure that this area is not disturbed in future. All these elements should then be maintained in accordance with the agreed plan unless prior agreement to amend the plan has been made with the local planning authority.

Reason: To ensure that the development is satisfactorily drained in accordance with policies GEN7, GEN9, GEN11 of the Arun District Local Plan.

- 10 No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority."

Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7 and PPS16 Archaeology & Planning.

- 11 No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 12 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 13 This permission relates to the following approved plans:Site Location Plan drawing references 100063/01-08, TJK1463, L90-200/Rev C, RBA895/50, RBA895/51, BB0648/10/101/001

Reason: For the avoidance of doubt and in the interests of visual and residential amenity and the effective drainage of the site in accordance with policies GEN7, GEN9 & GEN11of the Arun District Local Plan.

- 14 **INFORMATIVE**
A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins LTD, Anglo St. James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southerwater.co.uk

- 15 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and the effective drainage of the site there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLAN:H1, H5

LOCAL PLAN: GEN7, GEN8, GEN9, GEN11, GEN12, GEN20, GEN27, GEN28

NATIONAL POLICIES: PPS1, PPS3, PPS9, PPG13, PPG16, PPS25

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

EG/63/10/ Indicative Location Plan**(Do not Scale or Copy)***(All plans face north unless otherwise indicated with a north point)*

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PLANNING APPLICATION REPORT**REF NO:** EG/68/10/**LOCATION:** Poling Motor Co.
Fordingbridge Industrial Estate
Barnham Road Barnham**PROPOSAL:** Erection of new building for use as vehicle repair workshop.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Full planning permission is sought to erect a single storey industrial building for a vehicle repair workshop. The proposed building measures 33m x 15m and is 3.7m in height (to the eaves). The building is proposed to be finished in painted block work and metal sheeting for the roof. A very shallow pitched roof is proposed.
SITE AREA	0.1 hectares.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the west is a large earth bund approximately 3m in height with mature landscaping over. To the north, south and east the site is enclosed by existing single storey industrial buildings.
SITE CHARACTERISTICS	A variety of commercial buildings and structures on the site. The application site is an area of hardstanding within the commercial site.
CHARACTER OF LOCALITY	The site is adjoined by residential development to the east and west. Generally, the site is on the edge of the settlement (Barnham to the east, Westergate to the west) with a frontage onto a relatively busy rural road.

RELEVANT SITE HISTORY

EG/40/10/	Outline application with some matters reserved for the erection of a new building and demolition of existing buildings	Approve Cond 23-07-2010
EG/83/08/CLE	Application for certificate of lawfulness for an existing industrial building used for storage of motor vehicles, parts and equipment	Approve 18-02-2009

EG/15/07/	Demolition of No. 12 Downview Road and erection of 11 No. dwellings, vehicular access, parking and garaging, public open space and landscaping	Refused 21-06-2007 Appeal: Allowed+Conditions 13 08 2008
EG/41/96	Demolition of existing buildings and erection of new building, rationalisation of parking areas	Approve Cond 26-11-1996
EG/23/96	Change of use to include car and van rental business in conjunction with existing motor repair business	Approve Cond 10-07-1996
EG/19/93	Rebuilding of former industrial building damaged beyond repair by severe winds (part retrospective)	Approve Cond 12-01-1994
EG/71/92	Alterations to existing vehicular access to highway	Approve Cond 13-01-1993
EG/79/90	Outline Application for the construction of two buildings of 15,874 sq.ft.gross external area each for B1 Use Class occupation (Resubmission following EG/21/90),to replace existing buildings.	Approve Cond 13-12-1990
EG/36/68	Use of premises for light industrial purposes	Approve 29-07-1968
EG/20/68	Use of premises for light industrial purposes	Approve 29-05-1968

The site has benefited from a number of permissions for commercial uses on the site. There is also an extant outline planning permission (EG/40/10) for a 500sqm commercial (B2 use) building.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Eastergate Parish Council

Eastergate Parish Council - Objection on the following grounds;

- Intrusion into the designated Local Gap
- Likely over-intensive use of the site with noise and visibility
- Traffic generation will have adverse impacts for use of Barnham Road
- Likely precedent for future expansion.

COMMENTS ON REPRESENTATIONS RECEIVED:

For the reasons given below, the application proposals are not considered to have an adverse impact on the Local Gap and no objections have been received in respect of traffic generation or noise.

CONSULTATIONS

Environmental Health

WSSC Local Development Divis.

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection. A construction management plan should be provided to specify mitigation to control noise, dust and other emissions during construction. Proposals result in negligible changes to air quality and pollution. Internal and external acoustic environments should be detailed.

WSSC Infrastructure - New building is not in a position which would adversely affect the highway. Not anticipated that proposals will generate an increase in vehicle movements to a point where a highway safety issue would arise.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside Built Up Area
Special Consultation Area
Area 11

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA11 GEN7	Local Gaps The Form of New Development
South East Plan:	SEPRE3	Employment and Land Provision

PLANNING POLICY GUIDANCE

PPS4	Planning for Sustainable Economic Growth
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposals comprise one industrial building. This building will not be significantly larger than other existing structures on the larger site and, as a built up commercial site already, the proposals will have no material impact on the 'Local Gap' in AREA11. This was also the conclusion reached when granting planning permission for EG/40/10.

The proposed building is located to the rear of the site and is significantly back from the street and enclosed on three sides by existing built form. The size, existing use and location are such that there will be no significant impact on the character of the area.

The siting of the proposed building is located adjacent to the western boundary and is therefore approximately 140m from the nearest residential property to the east and over 100m to the nearest property to the west. As an existing commercial site, coupled with these distances, there will be no adverse impact on residential amenity.

Policy EC6 in PPS4 states that the countryside should be protected from economic development but new employment should be located on the edge of rural settlements of an appropriate scale and Policy EC10 confirms that local planning authorities should adopt a positive approach towards proposals for economic development with sustainable economic growth being treated favourably. The application forms state that 22 full time equivalent jobs will be created. On an existing and appropriately sited employment site, this is to be supported.

Suitably worded conditions are considered appropriate to ensure there is no significant impact on drainage infrastructure and water quality in the area. Southern Water and the Environment Agency have not commented on the application but raised no objections to application EG/40/10 for a similar development.

A recommendation of approval is therefore made.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans;

Site Location Plan
Plot Plan
2010/102
2010/101

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing, by the Local Planning Authority in consultation with Southern Water. The approved details shall be implemented prior to first occupation of the building and thereafter permanently maintained.

REASON: To ensure that the development is satisfactorily drained in accordance with Policies GEN7 and GEN9 of the Arun District Local Plan.

- 4 Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall specify measures to mitigate against dust, noise and emissions during the construction period. The approved details shall be implemented throughout the construction phase of the development.

REASON: In the interest of residential amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Before the development hereby permitted commences, a scheme shall be submitted and approved by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun District Local Plan policies GEN7 and GEN32.

- 6 INFORMATIVE: The application proposes development that may produce a trade effluent. No trade effluent can be discharged either directly or indirectly into any public sewer without the formal consent of Southern Water.

EG/68/10/ Indicative Location Plan**(Do not Scale or Copy)**

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PLANNING APPLICATION REPORT**REF NO:** EP/113/10/**LOCATION:** 36 Sea Lane
East Preston**PROPOSAL:** Extension and alterations**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposal involves the formation of an L-shaped single-storey rear extension measuring approximately 10.7 metres in width by 8.8 metres in depth and 5.9 metres in height as well as the removal of an existing attached flat roof garage and replacement with an attached pitched roof garage measuring approximately 6.9 metres in length by 3.3 metres in width and 4 metres in height.
SITE AREA	Approximately 600 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is low hedging to the front of the site. The side boundaries, to the front of the dwelling are marked by approximately 1.2 metre high timber fencing which steps up to approximately 1.8 metres in height to the rear of the dwelling and continues round onto the rear (western) site boundary. There is also additional hedging and shrubbery in place.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling which has painted render elevation walls and a tiled, hipped roof. There is a flat roof garage attached to southern (side) elevation and set slightly back from the front of the dwelling. A single-storey pitched roof extension has been added to the rear.
CHARACTER OF LOCALITY	The site is located on a residential road within the built-up area which is characterised, in general, by detached bungalow and chalet style dwelling which are set back from the road. The majority of dwellings have attached garages to the side and are arranged with small gaps between them and adjacent properties. Extensions and roof alterations are a common feature.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

No objections.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
	EPDS	East Preston Village Design Statement by E P Parish Council

South East Plan:

PLANNING POLICY GUIDANCE

	PPS1	Delivering Sustainable Development
Supplementary Guidance:	EPDS	East Preston Village Design Statement by E P Parish Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it does not comply with Local Plan policy DEV19

OTHER MATERIAL CONSIDERATIONS

It is considered that there are material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely that although the extension as a whole is not subservient, the proposed works are subservient when read from the street and will have a minimal impact on the appearance of the existing dwelling. The design of the extension will be sympathetic to the host dwelling and the fact that it will not be any higher than the existing dwelling will ensure that it does not appear overly dominant.

CONCLUSIONS

PRINCIPLE:

The site is located within the built-up area where the principle of development is acceptable provided it satisfies the criteria of relevant planning policies or if there are material considerations for allowing development not in full compliance with relevant policies. In this instance the impact of the proposal upon the character and appearance of the surrounding area and upon the amenities of neighbouring residents are the key considerations as set out in policies GEN7 and DEV19 of the Arun District Local Plan.

CHARACTER & APPEARANCE:

The bulk of the proposed works are concentrated to the rear of the existing dwelling and will be unseen from the street. However, part of the rear extension projects further to the south than the existing dwelling and the proposed garage will be larger and positioned closer to the highway than the existing garage. However, the overall built area of the site will not advance any closer to the road, retaining the the existing spacious appearance to the roadside and it is noted that a number of nearby properties have had extensions and alterations of a similar, or larger scale, to the sides. It is therefore considered that the proposal would not have an adverse impact upon the character and appearance of the surrounding area.

DESIGN & SCALE:

The footprint of the proposed extension is lightly larger than that of the existing dwelling and, as such, it is considered that the works would not maintain visual subservience towards the existing dwelling. However, the height of the existing dwelling would not be increased, the appearance of the dwelling frontage would be largely unchanged, and the design of the extensions are consistent with the design of the existing dwelling, aiding visual integration and ensuring that, whilst large, the proposed works will relate sympathetically towards the existing dwelling and, although not subservient, they will not dominate the existing dwelling.

RESIDENTIAL AMENITIES:

The proposed extensions are single-storey and step down in height towards the rear of the site, it is considered that this will prevent any unacceptable levels of overshadowing towards neighbouring properties and will ensure that the proposal does not appear overbearing towards neighbouring properties, the nearest of which have both been extended to the rear and to the roof. Further, all new windows will be at ground floor level and the screening offered by existing site boundary treatment will obstruct outward views towards neighbouring properties, ensuring no unacceptable loss of privacy by way of overlooking occurs.

SUMMARY:

Although the proposal would not appear visually subservient towards the existing dwelling, it has been considered that the overall integrated appearance of the proposed works, aided by a design

that compliments that of the existing dwelling, is a material reason for recommending approval for the application, against the criteria set out in Arun District Local Plan Policy DEV19. All other aspects of relevant policies are satisfied in that the proposal would not be harmful towards the character and appearance of the surrounding area nor would it have a detrimental impact towards the amenities of neighbouring residents.

It is therefore recommended that the application is approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans:-

10/3743/1;
10/3743/2;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission was granted because, although the proposed development does not comply with the policy DEV19 of the Arun District Local Plan in that the works would not maintain visual subservience towards the existing dwelling, there are material considerations which indicate that it can be granted. These material considerations are that the overall design of the proposed works relate well to the existing dwelling and compliment its existing appearance and that, although large, the proposed extensions do not exceed the height of the existing dwelling and therefore would not appear to dominate it.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

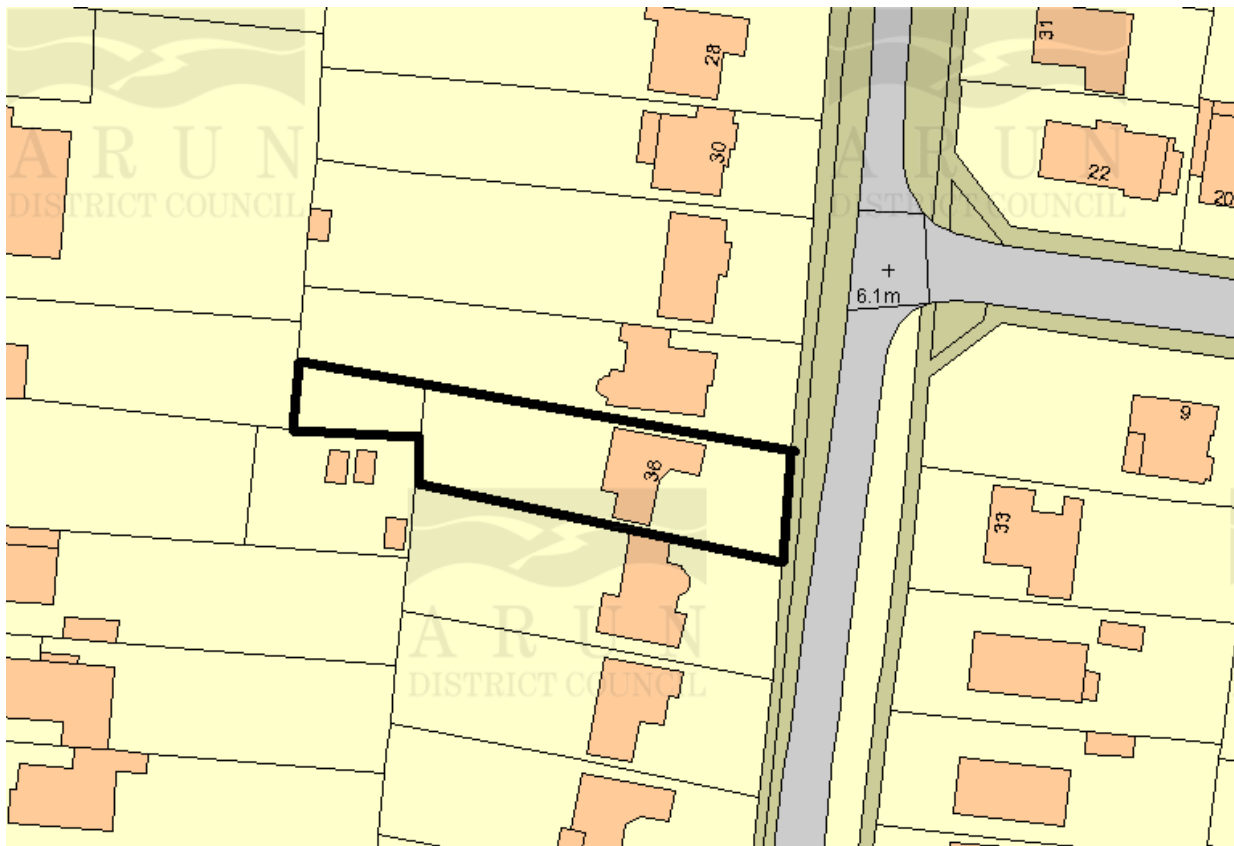
EAST PRESTON VILLAGE DESIGN STATEMENT

This paragraph is to comply with Article 31 Development Management Procedure Order 2010

EP/113/10/ Indicative Location Plan

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PLANNING APPLICATION REPORT

REF NO: AB/129/10/

LOCATION: 33 Mount Pleasant
Arundel

PROPOSAL: Formation of dormer & rooflights & two storey side extension
(Resubmission of AB/38/10)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposed application seeks permission for a roof extension to form a gable roof over the existing 2 storey additions to the side elevation.</p> <p>The proposal also includes a lead box dormer window which is to measure approximately 1.5m in width x 1.3m in height x 1.4m in depth and 2No. Conservation style rooflights to the rear roof slope.</p>
SITE AREA	Approximately 205 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	The site slopes gently upwards from south to north and more steeply upwards from west to east. The west to east slope has been terraced. The highway is approximately a metre lower than the site.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is enclosed by an approximately 2 metre high flint and brick wall.
SITE CHARACTERISTICS	The site is occupied by an end of terrace two storey dwelling which is a Grade II Listed building and features white painted flint elevation walls with red brick quoins and dressings. The roof is clay tiled and hipped. A hipped roof two storey red brick extension has been attached to the northern (side) elevation.
CHARACTER OF LOCALITY	The site is located on a residential road which is characterised by detached and semi-detached dwellings, most of which are two storeys although some are split level due to being on a hill slope. The property the subject of this application is attached to a larger building which has been converted into flats.

RELEVANT SITE HISTORY

AB/38/10/	First & second floor extension, front dormer and rear roof light (Resubmission following AB/112/09).	Refused 09-06-2010
AB/112/09/	First and second floor extension, front dormers and rear roof lights	Refused 14-12-2009
AB/36/07/	First and second floor extension.	Approve Cond 05-06-2007

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Objection; the roof-scape (including the flat roof dormers) was unsympathetic and obtrusive within this location.

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposal seeks permission for 1No. lead box dormer which is simple in its design, relating sympathetically to the listed building. The side extension is also considered to be acceptable and neither detract from the historic setting or appearance of the listed building.

CONSULTATIONS

Conservation Officer

Conservation Area Advisory Com

CONSULTATION RESPONSES RECEIVED:

CONSERVATION AREA ADVISORY COMMITTEE:

No objection

COUNTY DESIGN:

Awaited

COMMENTS ON CONSULTATION RESPONSES:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Within Built-Up Area

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

GEN2

GEN7

DEV19

AREA2

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

Conservation Areas

South East Plan:

PLANNING POLICY GUIDANCEPPS1
PPS5Delivering Sustainable Development
Planning for the Historic Environment**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity, the character and appearance of the Conservation Area and the setting of the Grade II Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that its design would relate sympathetically towards the existing Grade II Listed Building and as such it would not detract from the character and appearance of the Conservation Area and the locality in general.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE**

The application seeks planning permission for the construction of a partial roof extension to alter the appearance of the roof from a hipped roof to a gable ended building. The roof extensions also include the formation of a lead box dormer window as well as internal alterations with the removal and repositioning of stud walls together with the formation of a further opening within the roof space. The building is a Grade II Listed Building and is sited within the Arundel Conservation Area.

IMPACT UPON THE LISTED BUILDING

An earlier refused application AB/38/10 resulted in a bulky and unsympathetic flat roof dormers which would have been to the detriment of this building. The current proposal however seeks a partial roof extension to form a gable, which retains the simple lines of the existing building and the reduced scale and design of a simple lead box dormer ensures that it does not detract from the historic character and appearance of the building.

CHARACTER OF LOCALITY

The locality contains many Listed Buildings and is a Conservation Area. The buildings within it are generally of a traditional design with the use of traditional materials. Many of the buildings have gable end roofs and contain dormers. The proposal also contains a flat roof lead box dormer, which is of a recommended design and use of materials required by the Historic Buildings Architect from West Sussex County Council, as being of the most appropriate design for this Grade II Listed Building.

AMENITY

The extensions are not considered to impact upon the amenity of nearby or adjoining dwellings as they are to result in additions to the roof and a dormer window which is to face onto the street scene and the fields beyond. Further, given the orientation of neighbouring properties together

with the siting of the works, the addition is not considered to result in demonstrable loss of amenity to the adjoining neighbouring properties by way of an overbearing impact or loss of light.

SUMMARY

The proposed development is considered to be sympathetic to the simple character of the Listed Building, the Conservation Area, and the locality in general.

It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans:

1:1250 Location; 1:500 Block Plan;
Drawing No. 09/532/01 and 09/532/02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed extension and the lead box dormer have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension and dormer.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and setting of the the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19, AREA2

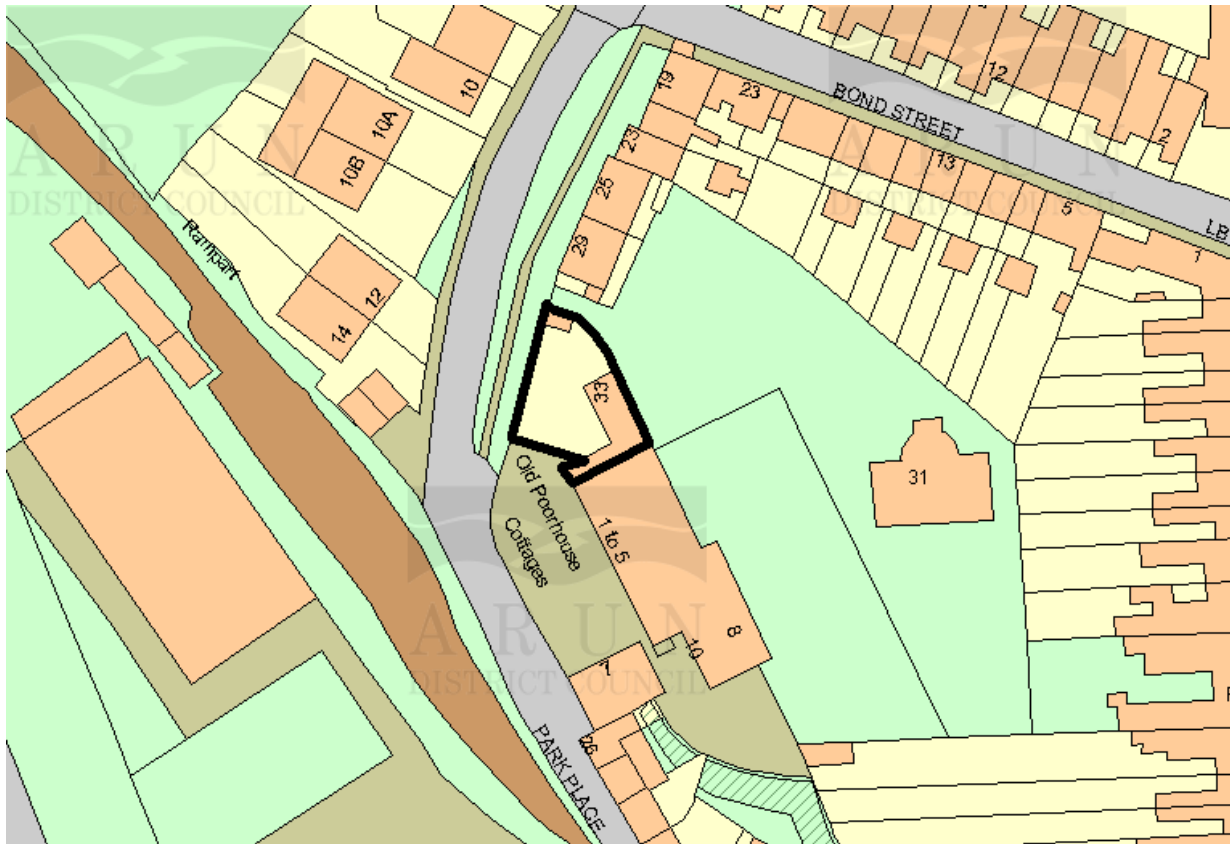
NATIONAL POLICIES: PPS1, PPS5

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

AB/129/10/ Indicative Location Plan

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LISTED BUILDING CONSENT REPORT

REF NO: AB/130/10/L

LOCATION: 33 Mount Pleasant
Arundel

PROPOSAL: Application for Listed Building Consent for formation of dormer & rooflight & two storey side extension (resubmission of AB/39/10/L)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposed application seeks permission for a roof extension to form a gable roof over the existing 2 storey additions to the side elevation.</p> <p>The proposal also includes a lead box dormer window which is to measure approximately 1.5m in width x 1.3m in height x 1.4m in depth and 2No. conservation style rooflights to the rear roof slope.</p>
SITE AREA	Approximately 205 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	The site slopes gently upwards from south to north and more steeply upwards from west to east. The west to east slope has been terraced. The highway is approximately a metre lower than the site.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is enclosed by an approximately 2 metre high flint and brick wall.
SITE CHARACTERISTICS	The site is occupied by an end of terrace two storey dwelling which is a Grade II Listed building and features white painted flint elevation walls with red brick quoins and dressings. The roof is clay tiled and hipped. A hipped roof two storey red brick extension has been attached to the northern (side) elevation.
CHARACTER OF LOCALITY	The site is located on a residential road which is characterised by detached and semi-detached dwellings, most of which are two storeys although some are split level due to being on a hill slope. The property the subject of this application is attached to a larger building which has been converted into flats.

RELEVANT SITE HISTORY

AB/39/10/L	Application for Listed Building Consent for first and second storey extension, front dormer and rear roof light (Resubmission following AB/113/09/L).	Refused 09-06-2010
AB/113/09/L	Application for Listed Building Consent for first and second floor extension, front dormers and rear roof lights	Refused 16-12-2009

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Awaited

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Conservation Officer

Conservation Area Advisory Com

West Sussex - Listed Building

CONSULTATION RESPONSES RECEIVED:

CONSERVATION AREA ADVISORY COMMITTEE:

No objection

COUNTY DESIGN:

Awaited

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Within Built-Up Area

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

GEN2

GEN7

DEV19

AREA2

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

Conservation Areas

South East Plan:

PLANNING POLICY GUIDANCE

PPS1

PPS5

Delivering Sustainable Development

Planning for the Historic Environment

POLICY COMMENTARY

LISTED

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

LISTED/CA

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application seeks Listed Building Consent for the construction of a partial roof extension to alter the appearance of the roof from a hipped roof to a gable ended building. The roof extensions also include the formation of a lead box dormer window as well as internal alterations with the removal and repositioning of stud walls together with the formation of a further opening within the roof space. The building is a Grade II Listed Building.

CHARACTER OF LOCALITY

The locality contains many Listed Buildings and is in a Conservation Area. The proposal contains a flat roof lead box dormer, which is of a recommended design and use of materials required by the Historic Buildings Architect from West Sussex County Council, as being of the most appropriate design for this Grade II Listed Building.

SETTING OF THE LISTED BUILDING

An earlier refused application resulted in a bulky and unsympathetic flat roof dormer to the detriment of this building and a side extension which did not relate to its historic appearance. The current proposal however proposes a single main gable roof which retains the simple lines of the existing building and the reduced scale and design of a simple lead box dormer ensures that it does not detract from the historic character and appearance of the building.

The proposed internal works would only result in the removal of stud walls and the formation of an opening at 1st floor level. These works are considered to be acceptable as they would not impact upon the historic fabric or layout of the Listed Building.

It is therefore recommended that Listed Building Consent be granted subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 No development shall take place unless and until details of the construction/operation mechanism and materials of all new joinery and windows have been submitted to and approved by the Local Planning Authority and the new joinery and windows shall be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with policies GEN7 of the Arun District Local Plan and Planning Policy Statement 5 (PPS5) 'Planning and the Historic Environment'.

- 3 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with policies GEN7 of the Arun District Local Plan and Planning Policy Statement 5 (PPS5) 'Planning and the Historic Environment'.

- 4 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with policies GEN7 of the Arun District Local Plan and Planning Policy Statement 5 (PPS5) 'Planning and the Historic Environment'.

- 5 The reconstruction/making good of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials must be with the written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the building for the future in accordance with policies GEN7 of the Arun District Local Plan and Planning Policy Statement 5 (PPS5) 'Planning and the Historic Environment'.

- 6 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed extension and the lead box dormer have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension and lead box dormer.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 7 INFORMATIVE: This is only a summary of reasons for granting to comply with Article 31

and full reasons appear in the Officer report.

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would have no materially adverse effect on character of the Grade II Listed Buildings or the character or appearance of the surrounding Conservation Area and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19, AREA2.

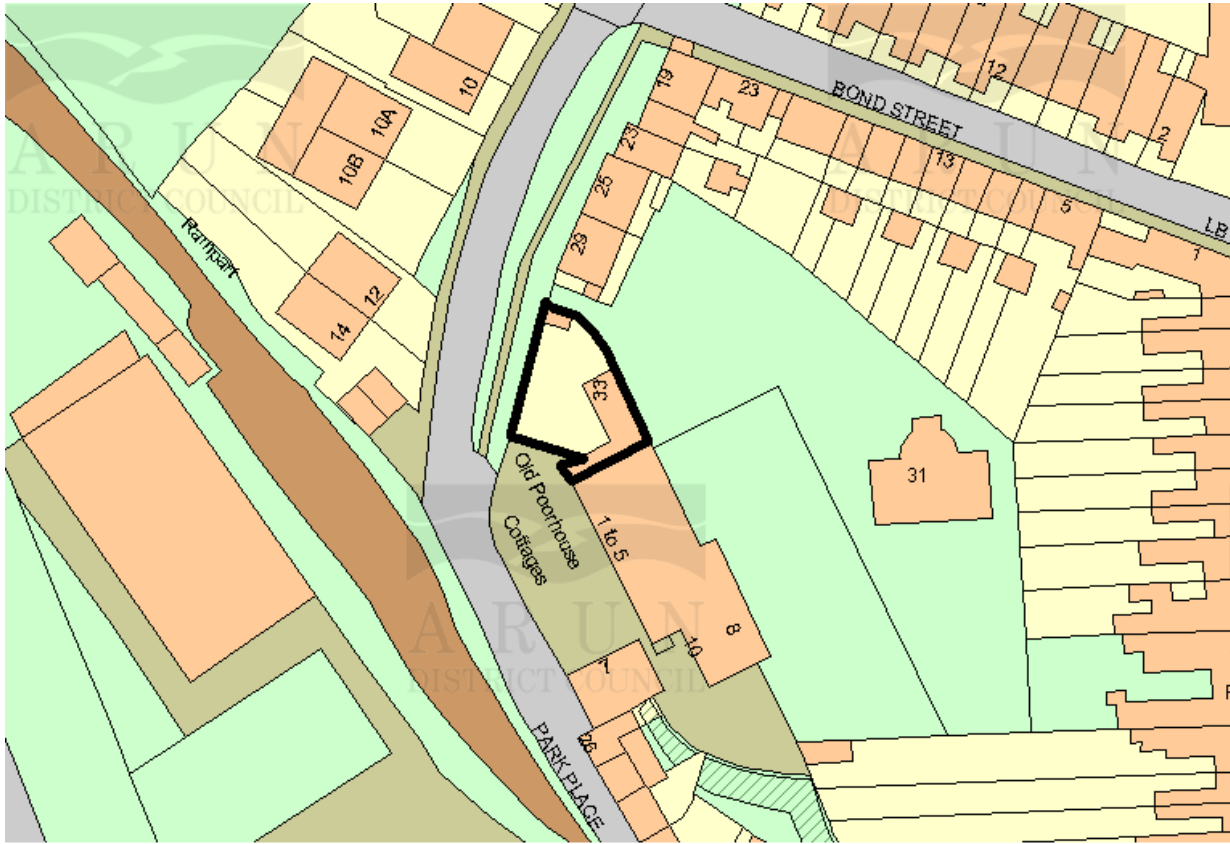
NATIONAL POLICIES: PPS1, PPS5.

INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

AB/130/10/L Indicative Location Plan

(Do not Scale or Copy)

(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT**REF NO:** A/147/10/**LOCATION:** 2 Arundel Road
Angmering**PROPOSAL:** Demolition of existing garage (side) & rear conservatory and erection of two-storey side extension (Resubmission of A/74/10)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	<p>The proposed two storey extension measures approximately 3m in width, depth of 7.3m, height of 7.8m.</p> <p>The rear single storey extension measures approximately 3m in width, depth of 4.1m, height of 2.6m.</p> <p>The front and rear dormers each measure approximately 3.5m in width, 1.7m in depth and 2.4m in height.</p>
SITE AREA	Approximately 500 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	<p>Front has wall approximately 1.2m in height, south side boundary has wall approximately 1m in height, north side boundary close boarded fencing + shrubs 1.8m-2m in height.</p> <p>Rear and south side boundary has close boarded fencing approximately 1.8m in height, north side boundary hedging approximately 2.5m in height.</p>
SITE CHARACTERISTICS	Semi-detached two storey property with flat roof extension and conservatory on rear (to be demolished). Detached pitched roof garage on north side (to be demolished), wooden outbuilding and shed in rear garden. The property has white painted brickwork, white window frames with a red tiled roof.
CHARACTER OF LOCALITY	Main road with residential comprising two storey semi-detached of similar style and design.

RELEVANT SITE HISTORY

A/74/10/	Demolition of existing garage on side, rear conservatory and erection of two storey side extension.	Refused 23-07-2010	Appeal: Dismissed 06 10 2010
A/25/91	First floor extension	Refused 29-05-1991	
A/29/85	Double garage	Approve Cond 03-04-1985	
A/95/79	Vehicle crossing over footway hardstanding in garden	Approve Cond 08-08-1979	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

Objection on the grounds of the design and external appearance of the building and would refer to the comments of the Inspector on the previous appeal who stated that adding the original property width would unbalance the existing symmetry of the adjoining house, and in this context the same applies to this extension.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

The submitted application has now substantially reduced the width of the extension from 6.4m to 3m. It is considered that the extension has been designed with a gable end and matching dormers that the appearance is now in keeping with the main dwelling. The extension is considered to be visually subservient and does not detract from the overall symmetry of the pair of houses, nor would it look out of character and appearance with the surrounding residential area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary
Class A Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

DEV19 Extensions to existing residential buildings

South East Plan:

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Locality

The site is located within the built up area where the principle of development is acceptable, subject to it satisfying relevant planning considerations. The semi-detached property is sited on a main road to the north of the village centre and has a flat roof conservatory and extension on the rear with a detached pitched roof garage positioned on the north side of the property.

Principle

The application seeks to demolish the rear conservatory and detached garage and construct a two storey extension that will be sited on the north side elevation of the dwelling and a single storey flat roof extension on the rear that will link up with the existing rear addition.

History

A previous planning application A/74/10 for a two storey side extension which included a single storey extension to the rear to align with the existing rear addition was refused on the 23rd July 2010. It was felt that the proposed two storey extension which was 6.4m in width and substantially wider than the main dwelling of 5.5m that it would unbalance the semi-detached appearance and would look more like an additional dwelling than an extension. The applicant appealed against this decision and the appeal was dismissed on the 6th October 2010. The Inspector in dismissing the appeal stated that the extension would not sympathetically relate to and be visually integrated with the existing form of the building, nor would it be subservient. He

also stated that in view of its width, overall bulk and fully hipped roof it would severely unbalance the existing symmetry of the pair of houses.

Design and Character

This revised application is for a two storey extension on the north side and a flat roof single storey extension to the rear which will link up with the existing rear extension. The existing vehicular access and hard standing which can accommodate two parking spaces remain unchanged. The existing property has a width of 5.5m and depth of 11.4m (which includes the rear addition) and the proposed two storey extension measures approximately 3m in width, depth of 7.4m and a maximum height of 7.8m which is the same height as the existing roof line. The single storey element which will link up with the existing single storey extension on the rear measures approximately 3m in width, depth of 4m and height of 2.7m. The proposed two storey extension has a gable end which mimics the design of the existing dwelling and the proposed dormers, one on the front and one on the rear match in detail the existing dormers. The significant reduction in the width of the proposed extension from 6.4m to 3m is now considered to be of an acceptable size and it is not considered that this would detrimentally unbalance the existing symmetry of the pair of houses.

Residential Amenity

The two storey element of the extension is sited approximately 5m from the neighbouring property No 3 and this property has a single storey flat roof extension on the south side of the dwelling that is sited approximately 1m from the side boundary with No 2. The two storey extension has no windows at first floor level on the north side elevation fronting No 3 and with adequate separation distance it is not considered that this extension would detrimentally harm the occupiers of No 3 or any neighbouring property by way of overbearing affect, harmful overshadowing, overlooking or loss of privacy.

Summary

In line with the Inspectors decision the proposed extension is now considered to be of an acceptable size and design that is visually integrated with the existing property and does not detract from the overall symmetry of the pair of properties. It is not considered that the extension would be obtrusive in the street scene or detract from the character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).

- 2 This permission relates to the following approved plans: Site 1:1250, Block 1:500, Ground & First Floor Drg No 1010/PR/01 Rev E, Elevations Drg No 1010/PR/02 Rev B, Roof Plan Drg No 1010/PR/03 received on 28th October 2010.

Reason: For the avoidance of doubt and in the interests of amenity and the environment

in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No windows at first floor level shall be constructed in the north side elevation of the extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 **INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010**

SUMMARY

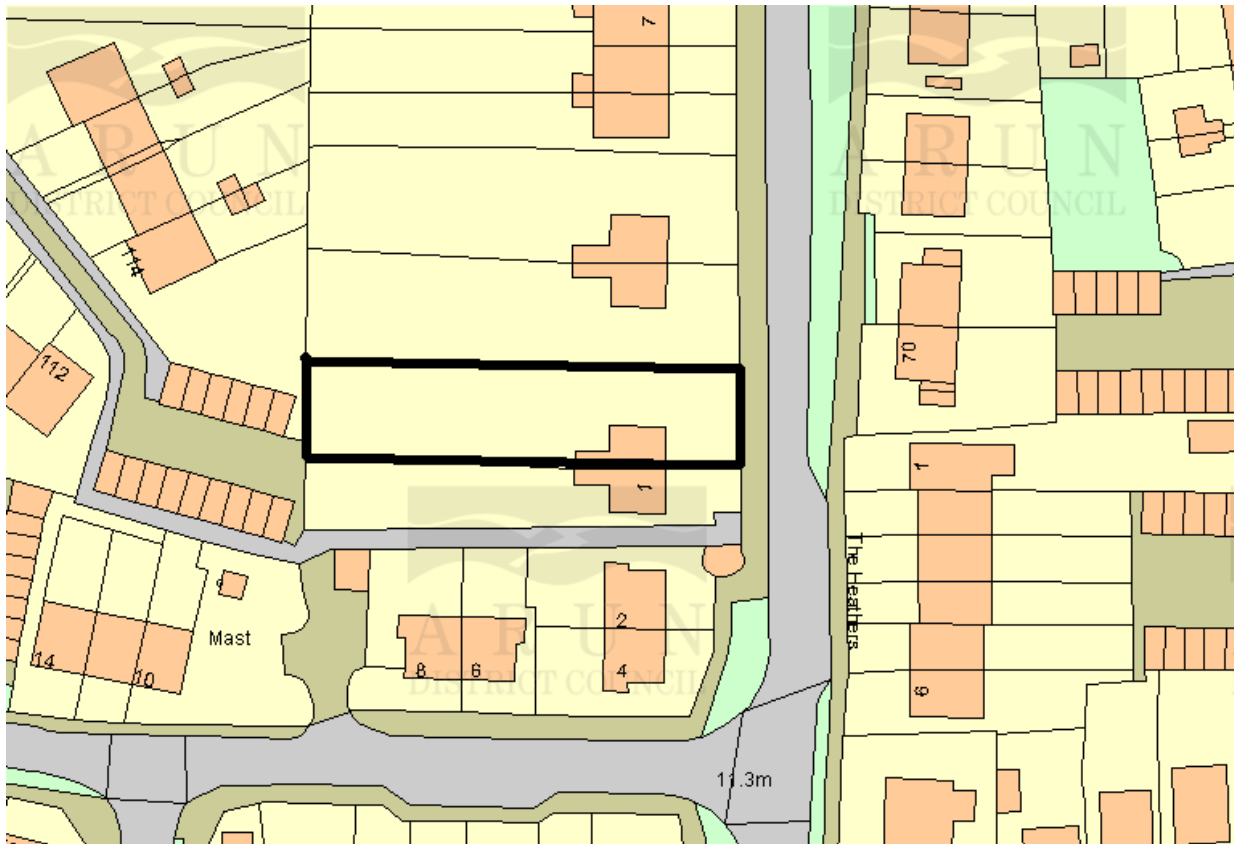
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

A/147/10/ Indicative Location Plan**(Do not Scale or Copy)***(All plans face north unless otherwise indicated with a north point)*

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PLANNING APPLICATION REPORT**REF NO:** AW/268/10/**LOCATION:** 69 Nyetimber Lane
Aldwick**PROPOSAL:** Remove existing conservatory and shower room to rear elevation and erect 2 storey extension incorporating additional bedroom and en-suite**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Two storey rear extension.
SITE AREA	Approximately 425 square metres
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Close boarded fencing approximately 1m high to front. Close boarded fencing approximately 1.8m high supplemented by trees and hedging to rear.
SITE CHARACTERISTICS	The site is a two storey detached dwelling with white rendered elevations and a mansard roof.
CHARACTER OF LOCALITY	The site is located on a residential road of properties of various style.

RELEVANT SITE HISTORY

AW/59/94	Conservatory & rear shower room	Approve Cond 08-07-1994
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Aldwick Parish Council

Support. Members voted unanimously in favour of supporting this application.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

South East Plan:

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

This application seeks planning permission for the construction of a two storey extension to the rear of 69 Nytemtimber Lane.

The proposed extension would measure, at maximum, approximately 6m in width, 6.2m in depth, and would reach a maximum height of approximately 6.6m in height.

Visual Amenity

The proposed extension would have a mansard roof to match that of the host dwelling. Whilst it is appreciated that the design of the roof of the proposed extension is in keeping with the existing

dwelling, it is considered that the form, scale and projection of the proposed extension is such that it would have a bulky and dominating appearance. This would be especially apparent when viewed from a side perspective. Furthermore, the extension is not considered to be visually subservient to the existing dwelling, and would therefore conflict with policy DEV19 of the Arun District Local Plan which states that planning permission will be granted for extensions to existing residential buildings provided that (i) the extension sympathetically relates to and is visually integrated with the existing building and (ii) the extension is visually subservient to the main building.

Residential Amenity

The proposed extension would not contain any windows on its side elevations at first floor level, and therefore it is not considered to have a significant impact on the residential amenities of the occupiers of the neighbouring dwellings by means of giving rise to overlooking.

The extension would, at its closest point, be located approximately 2.5m from the property to the south-west, no. 71 Nyetimber Lane. This distance is such that whilst it is noted that the proposed extension will be visible from the neighbouring property, it is not considered to have a materially adverse impact on the occupiers of the neighbouring dwelling by means of being overbearing.

Conclusions

The proposed extension is not considered to have a significant impact on residential amenity, however this does not outweigh the material harm that the proposed development is considered to have upon the design and character of the property and in turn on the visual amenities of the locality. The size and bulk of the proposed extension is such that it is not visually subservient to the host dwelling and is consequently detrimental to the character and appearance of the locality.

It is therefore recommended that the application be refused, for the following reason:

RECOMMENDATION

REFUSE

- 1 The proposed extension, by reason of its scale, bulk and projection, would not be visually subservient to, or integrated with, the existing dwelling and would have a detrimental impact on the visual amenities of the locality contrary to policies GEN7 and DEV19 of the Arun District Local Plan.

AW/268/10/ Indicative Location Plan
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(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: LU/339/10/

LOCATION: 18 Mill Lane & Land
adj to 18 Mill Lane
Littlehampton

PROPOSAL: 3 no. detached dwellings with garages including a replacement garage to 18 Mill Lane (This is a departure from the development plan)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposals comprise the erection of three detached dwellings on part of the garden area to 18 Mill Lane. The three properties would all be two storey three bedroom dwellings with one formal garage space per dwelling and hardstanding areas to the front together with a new garage for the existing property.</p> <p>Two of the dwellings 'front' onto Mill Lane. The third dwelling sits gable end onto Mill Lane and faces west.</p>
SITE AREA	0.09 hectares
RESIDENTIAL DEVELOPMENT DEN	33 dph
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	High hedging to the front and rear. Open to the west in the location of the existing dwelling on the site.
SITE CHARACTERISTICS	18 Mill Lane is a detached bungalow on the south side of Mill Lane. The site is bordered by residential development to the north and west, and by commercial development to the northeast. South of the site is a vacant area of land that has planning permission for 24 dwellings (LU/63/10).
CHARACTER OF LOCALITY	Principally residential. There is residential development to the north and west of the application site with a mix of dwelling types. To the east is horticultural development on a large scale and to the south, planning permission has recently been granted for 24 residential units.

RELEVANT SITE HISTORY

LU/339/10/

LU/132/99/	Outline application for new development of 24 houses with new accessway from Mill Lane, revised position of childrens play area. (Departure from the Development Plan)	NON DET APPEAL 28-03-2000 Appeal: Dismissed 24 05 2000
LU/426/81	Outline erection of 3 dwelling	Refused 09-09-1981

Application LU/132/99 included the application site for access to land at the rear granted permission under LU/63/10. Application LU/426/81 included the application site as part of a much larger site (including areas to the east) which was refused because it was considered to be 'ribbon' development.

REPRESENTATIONS

Representations received:

Littlehampton Town Council - No objection provided highway safety is not compromised

Three letters of objection on the grounds of;

- Applicant should get together with developer of Hearnfield Road proposals which would prevent demolition of 7 Hearnfield Road
- Extra cars at the junction is not a good idea
- Flooding on this bend has been extensive
- The lane is now extremely busy and it is a nasty bend

West Sussex Wildlife Protection - opposes the proposals as the site needs checking for possible wildlife habitation

Comments on Representations received:

The comments received from WSCC confirm that access arrangements are acceptable.

See comments in the conclusions section.

CONSULTATIONS

Environmental Health
WSCC Local Development Divis.
Parks and Landscapes
Environmental Health
Planning and Housing Strategy

Consultations responses received:

Parks & Greenspaces - No landscape objections

County Highways - Advice

- Size of proposed access appears acceptable
- Driveway to be constructed in bound material with suitable drainage methods installed to prevent surface water running onto the highway
- An on-site turn has been provided
- Cycle parking will be required
- Modest intensification of use onto Mill Lane

· No apparent visibility issues at the access

Environmental Health - No objection

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Outside Built Up Area
Arundel & Littlehampton Strategic Gap

DEVELOPMENT PLAN POLICIES

South East Plan:	<u>SEPSCT5</u>	
Arun District Local Plan:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN3</u>	Protection of the Countryside
	<u>GEN7</u>	The Form of New Development
	<u>AREA10</u>	Strategic Gaps
	<u>GEN12</u>	Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The Development Plan comprises the Arun District Local Plan (2003) and the South East Plan (2010).

The application site comprises previously developed land and extends to approx 0.09 hectares.

The site is located outside built up area of Littlehampton in the Local Plan. It is located to the north of the existing defined built up area of Littlehampton, it is adjoined by development to the north, west and east. There is also permission for residential development immediately to the south of the application site. However, policies GEN2 and GEN3 of the Arun District Local Plan apply to the application proposals on this site. These policies state that development outside of built up areas is restricted to;

- the operational needs of agriculture
- informal recreation
- diversification of the rural economy
- essential road schemes
- specific uses in accordance with sections 2 and 3 of the Local Plan.

The site is within a Strategic Gap.

The Local Plan was adopted in 2003 and covers the period up to 2011. It is therefore in need of replacement with a new local planning policy document. The Council is progressing towards the replacement of the Local. The South East Plan remains part of the development plan and this considers the levels of required development over a 20 year period.

Para 71 of PPS3 states that;

'Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.'

The assessment of the application proposals against paragraph 69 of PPS3 will be outlined below. In respect of paragraph 71 of PPS3, The Council's Annual Monitoring Report (December 2009) confirmed that the Council was unable to demonstrate a 5 year housing land supply. This conclusion was reached on the basis of the housing requirements in the South East Plan.

The Council has adopted an interim requirement until such time as a new formal requirement is established; this has been agreed as 465 dwellings per year. However, the requirements of the development plan (in this case, the South East Plan) take precedence. This requires an annual figure (over 20 years) of 565 dwellings/year. Since the date of adoption, Arun DC has not delivered sufficient dwellings against this requirement and the requirements for the remainder of the plan period (up to 2026) are therefore rising.

The Council has a shortfall in housing supply at 31 March 2010 and therefore the proposals should be considered favourably in accordance with PPS3.

The position of providing and maintaining an adequate housing land supply is imperative on granting planning permission for new housing development and the provision of increased numbers of affordable dwellings should carry significant weight. Based on this, there is not considered to be any justification in delaying a decision on the application proposals.

On matters of principle, the proposals are considered to be in accordance with GEN2 and GEN3 of the adopted Local Plan. Proposals are contrary to these policies if there is conflict with Sections 2 and 3 of the Local Plan. In this case, the only relevant policy is AREA10 and conclusions on this are reached below. As it is concluded that there is no harm to AREA10, the proposals comply with GEN3.

It is accepted that a housing land supply needs to be improved and maintained through new planning permissions and the acceptability of such proposals also requires an assessment of the impact of the proposals on the character of the area, the quality of the proposals and the sustainability of the site (as well as consideration of matters of detail).

Whilst the site is outside of what is defined as the built up limits in the Local Plan, the application site comprises previously developed land and is adjoined on all sides by existing and permitted development. There is therefore no possible way of suggesting that the application proposals would harm the purposes of the Strategic Gap (AREA10) as there is no encroachment into the countryside or any extension of built form.

CHARACTER

Policy GEN7 of the Arun District Local Plan requires development proposals to display a high quality design and respond positively to the identified characteristics of the area.

Para 69 of PPS3 states;

In general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.

The application site comprises previously developed land outside of the built up area of the settlement. However, it is adjoined on all sides by existing and permitted development. The application site is in a sustainable location.

The application proposals will change the character of the area but not to an extent that is considered to harm the character of the area.

AMENITY

The proposed layout will have no significant impact upon adjoining properties. The plot nearest to the existing 18 Mill Lane is 13m away with no windows to habitable rooms facing. Car parking areas are to be shared.

The properties on the opposite side of Mill Lane are at a higher level and behind very mature boundary landscaping to Mill Lane. There is therefore no adverse impact on residential amenity to these properties.

The planning permission on the site to the rear is in outline but layout has been approved. Proposed Plot 1 would back onto a proposed gable end and rear amenity area but there is sufficient space within both application sites for landscaping to preserve amenity.

The proposed properties are on small plots and have small rear amenity areas. Whilst this is not something that Officers would encourage, there is no policy requirement for larger plots, the proposals would not sit uncomfortably in the streetscene and they would not result in any significant loss of residential amenity.

TECHNICAL ISSUES

The application is accompanied by an Ecological Survey Report, an Arboricultural Report and a Design & Access Statement. There are no significant tree specimens on the site that would be cause for concern with the proposals, the surveys conclude that there is very low potential for protected species and WSCC have raised no objection in respect of the modest intensification of the access.

PLANNING OBLIGATIONS

Under the Council's recently adopted affordable housing policy update, the proposals will need to make a contribution of £5,628 towards affordable housing provision.

The application is therefore recommended for approval subject to conditions and completion of a Unilateral undertaking.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 (as amended).

- 2 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping (hard and soft), which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 3 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls (and roofs) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The buildings shall not be occupied until the parking spaces, turning facilities and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The access from the site to the public highway shall be designed, laid out and constructed with visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved by the Local Planning Authority before any other operation or use authorised by this permission is commenced.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 7 This permission relates to the following approved plans;

10.048 03 Rev C
10.048 04 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 8 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7 AREA10

NATIONAL POLICIES: PPS1 PPS3

This is only a summary of reasons for granting to comply with Article 31 and full reasons

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appear in the Officer report.