



Committee Manager : Carrie O'Connor (Ext 37614)

26<sup>th</sup> January 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 3rd February 2010 at 2.30 p.m.** and you are requested to attend.

Members : Councillors Mrs Hall, (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Butler, Evans, Gammon, Mrs Harrison, Haymes, Mrs Maconachie, Oliver-Redgate, 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](http://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 14<sup>th</sup> January 2010 (attached).

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. \*PLANNING APPEALS

To consider the attached report.

7. TREE APPLICATIONS

To consider the attached report

8. \*PLANNING APPLICATIONS

To consider the attached reports.

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

9. \*ENFORCEMENT MATTERS

There are no items to consider.

### **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)  
                          Keith Wheway       (Ext 37794)  
                          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.)

## DEVELOPMENT CONTROL COMMITTEE

14<sup>th</sup> January 2010 at 1.05 p.m.  
(Moved from 6<sup>th</sup> January 2010)

Present : Councillors Mrs Hall (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Evans, Haymes, Mrs Hazlehurst (substituting for Councillor Gammon), Mrs Maconachie, Mrs Olliver, Mrs Stainton, Steward and Wiltshire.

[Note: Councillor Mrs Stainton was absent from the meeting during consideration of the matters referred to in Minutes 645 to 651 (part, up to Planning Application Y/68/09).]

### 645. WITHDRAWN APPLICATION

The Chairman advised the meeting that Planning Application WA/81/09 had been withdrawn from the Agenda as it had been dealt with under delegated powers.

### 646. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Butler, Gammon and Mrs Harrison.

### 647. DECLARATIONS OF INTEREST

Councillor Biss gave notice of a prejudicial interest in Agenda Item 9, Planning Application LU/334/09/TEL for the avoidance of bias as he had expressed opinions in relation to telephone masts. He stated that he would withdraw from the meeting during its consideration.

Councillors Bower and Mrs Olliver gave notice of a personal interest in Agenda Item 9, Planning Applications BE/101/09, FP/174/09 and Y/68/09, as Chairman and member respectively of the Policy Site 6 Advisory Group which had also considered these matters.

Councillor Mrs Olliver also declared a personal interest in Agenda Item 9, Planning Application BR/272/09, as, during her last term served on Bognor Regis Town Council, she was a representative on a body which had considered the submissions for artwork at this site. She stated that she would exercise her right to speak but would not vote on the matter.

### 648. MINUTES

The Minutes of the meeting held on 2<sup>nd</sup> December 2009 were approved as a correct record and signed by the Chairman.

649. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AW/160/09/T – FELL ONE HOLM OAK, SEA CREST, THE CLOSE, ALDWICK BAY ESTATE, ALDWICK

Having received a report on the matter, the Committee accepted the Site Inspection Panel's recommendation to refuse consent to fell the Holm Oak, as set out in the appendix attached to the report, and therefore

RESOLVED

That consent to fell the Holm Oak be refused as set out in the appendix to the report.

650. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 3 appeals that had been heard.

651. PLANNING APPLICATIONS

The Chairman advised that, owing to the presence of public speakers, she proposed to change the order of the applications to consider Planning Application FP/174/09 prior to Planning Application BE/101/09 and that they would be considered consecutively.

*(Prior to consideration of the following two applications, Councillors Bower and Mrs Olliver had declared a personal interest and remained in the meeting and took part in the debate and vote.)*

FP/174/09 – Application for removal of conditions 56, 57, 58 and 59 of planning approval FP/92/04, Land at Felpham, Felpham Having received a report on the matter, together with the officer's written report update detailing a further letter of objection; correction to the report in relation to the numbering of the conditions; and a consultation response from the Highways Agency (HA) which resulted in revising the wording of the relevant conditions to take account of a trigger point of 142 dwellings, the Strategic Development Planner advised on the outcome of a meeting that had been held with the Highways Agency with regard to this matter.

The Highways Agency had acknowledged that the exceptional current economic downturn now made it unviable for the developers to adhere to the original conditions set down in 2005 but, following on from earlier discussions between the HA, the Council and the developers, it no longer wished to consider pursuing the negotiation of a commuted payment in lieu of conditions. However, in the interests of ensuring that its Strategic Road Network continued to operate to a satisfactory level of service, the HA accepted that no more than 142 dwellings could be occupied before works by the developers to the four junctions on the A27, namely Crockerhill Junction, Oving Junction, Fontwell Roundabout and Bognor Road Roundabout, had to be completed. It was therefore proposed to not remove the relevant conditions but to amend them to take account of the 142 dwellings trigger point.

Following a brief discussion, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

BE/101/09 – Application for removal of conditions 56, 57, 58 and 59 of planning approval BE/45/04, Site 6, North Bersted, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a further letter of objection; correction to the report in relation to the numbering of the conditions; and a consultation response from the Highways Agency (HA) which resulted in revising the wording of the relevant conditions to take account of a trigger point of 142 dwellings, the Strategic Development Planner advised that this application covered the same issues as FP/174/09.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

*(Prior to consideration of the following application, Councillor Mrs Olliver had declared a personal interest and spoke to the item. Following legal advice she then left the meeting and took no further part in the debate or vote.)*

*During the course of consideration of the following application, reference was made to the involvement of the Economic and Cultural Development Department of the Council and Councillor Haymes declared a personal interest as his wife worked in that section. He remained in the meeting and took part in the debate and vote.)*

BR/272/09 – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 to place a piece of metal artwork in the shape of a sun hat on wall above entrance to Bon Marche Having received a report on the matter, together with the officer's written report update detailing a letter of representation received, a concern was raised as to the colouring of the finished artwork and reassurance given by the Planning Officers that this would have to be approved before final consent would be given. The Committee then

RESOLVED

That the application be approved as detailed in the report.

LU/277/09 – Outline application for an enlarged replacement kiosk, Mewsbrook Park Kiosk, Hendon Avenue, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/305/09 – Outline application for a two storey, end of terrace dwelling with all matters reserved, 104 Greenfields, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

*(Prior to consideration of the following application, Councillor Biss had declared a prejudicial interest and left the meeting and took no part in the debate or vote.)*

LU/334/09/TEL – Prior notification for 1 no. 11.5 telecommunications pole comprising 3 No. antennas within a GRP shroud with 1 No. equipment cabinet at ground level adjacent and ancillary equipment Having received a report on the matter, together with the officer's written report update detailing the Town Council's objection to the proposal, the Committee

RESOLVED

That no objection be raised.

P/93/09 – Erection of new single storey dwelling and demolition of existing sub standard dwelling, 3 Harbour Road, Pagham Having received a report on the matter, together with the officer's written report update detailing further comments received from the Highways Agency and amended/additional conditions relating to substitute plans and Permitted Development Rights, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

R/205/09 – Change of use from A1 (Shop) to A2 (Financial & Professional Services) ground floor lock up shop only, 94 The Street, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/81/09 – Removal of existing flat roof garage with room over and erection of pitched roof garage with room over (resubmission of WA/46/09), Thatched Cottage, Hoe Lane, Binsted Having received a report on the matter, the Committee was advised that this matter had been dealt with under delegated powers and had therefore been withdrawn from the Agenda.

*(Prior to consideration of the following application, Councillors Bower and Mrs Olliver had declared a personal interest and remained in the meeting and took part in the debate and vote.)*

Y/68/09 – Reserved matters application pursuant to outline permission FP/92/04 Condition 1(j) and (l)(part) relating to details of the sports changing facilities, layout of sports pitches, safety fencing, Land North of Felpham, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing consultation responses and a revised condition sheet, the matter of security around the proposed buildings was raised as a concern and an assurance given that due account of this would be taken when final approval was considered. The Committee then

RESOLVED

That the application be approved as detailed in the report.

Y/74/09 – Amendment to alignment and position of south-west boundary to planning permission Y/73/07, Land to rear of Victoria House, Main Road, Yapton Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

652. ENFORCEMENT MATTERS

ENF/231/09 – The Yeomans, Woodlands Avenue, Rustington The Committee received and noted an information report advising on the outcome of a successful prosecution in respect of this case.

(The meeting concluded at 2.17 p.m.)



**AGENDA ITEM 6**

**DEVELOPMENT CONTROL COMMITTEE**

**03 February 2010**

**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:**

**BR/73/09/**

Received: 29-07-2009

207 Chichester Road Bognor Regis

Extension and change of use of existing office/storage building to a residential use, to provide a total of 4 No 1 bed flats

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2109528/NWF

**P/18/09/**

Received: 12-08-2009

91 West Front Road Pagham

Demolition of garage - single storey extension inc. garage.

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2110365/WF

**FP/94/09/**

Received: 01-09-2009

44 Firs Avenue Felpham

Revised application for new two bedroom chalet bungalow with integral garage, demolition of existing garage

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2111600/WF

**AL/55/09/**

Received: 02-09-2009

Lidsey Caravan Site Lidsey Road Lidsey

New replacement wardens office/living accommodation.

### ***Written Representations***

**PINS Ref:** APP/C3810/A/09/2111825/NWF

**BE/47/09/**

Received: 14-09-2009

Chalcroft Nursery & Associated Land Chalcraft Lane Bognor Regis

Outline Application for the demolition of all existing buildings and redevelopment of the site with up to 70 dwellings (up to 28 Affordable), public open space and strategic landscaping. Departure from the Development Plan

### ***Public Inquiry***

**PINS Ref:** APP/C3810/A/09/2112065/NWF

**WA/10/09/**

Received: 16-09-2009

Gustone Farm Barnham Lane Walberton

Change of use of land and buildings to a mixed use comprising the breeding of horses and livery

***Written Representations***

**PINS Ref:** APP/C3810/A/09/2112661/NWF

**AB/11/09/**

Received: 18-09-2009

107A Tarrant Street Arundel

Change of use of existing workshop/storage building to residential with remodelling - re-submission following planning application AB/180/07/

***Written Representations***

**PINS Ref:** APP/C3810/A/09/2112838/WF

**LU/517/04/**

Received: 23-09-2009

Former Littlehampton Indoor Market 26-30 Surrey Street Littlehampton

Mixed use development with part retail use to ground floor and 24 No. one bedroom flats, 18 No. two bedroom flats, 6 No. three bedroom flats to part of the ground/upper floors and 3 No. two bed houses and 1 No. three bedroom house with public and private hard and soft landscaped areas.

***Written Representations***

**PINS Ref:** APP/C3810/A/09/2112099/NWF

**A/72/09/**

Received: 13-11-2009

23 Garden Close Angmering

Erecting a fence on property boundary at side of property - to include change of use from amenity land to residential garden area.

***Written Representations***

**PINS Ref:** APP/C3810/A/09/2116198/WF

**Y/25/09/**

Received: 17-11-2009

Maggie's Meadow Hoe Lane Flansham Bognor Regis

Mobile Live/Work transportable unit for stockman. Steel storage building for secure storage of light goods vehicle/farm machinery/feed.

***Informal Hearing***

**PINS Ref:** APP/C3810/A/09/2116806

**WA/13/09/**

Received: 03-12-2009

Land between A27 & W Walberton Lane to the east of Woodacre Arundel Road Fontwell

Outline application with all matters reserved - Mixed development of affordable and market housing and business units. (Departure from the Development Plan)

***Informal Hearing***

**PINS Ref:** APP/C3810/A/09/2117895/NWF

**FP/55/09/**

6 Davenport Road Felpham

Received: 14-12-2009

Internal alterations, minor amendments to fenestration and other architectural detailing to elevations. Extend loft storage enclosure and minor extension to garage. Completion of balcony construction.

***Written Representations***

**PINS Ref:** APP/C3810/A/09/2118506

**BR/237/09/CLP**

Received: 15-12-2009

4 Glencathara Road Bognor Regis West Sussex

Application for a certificate of lawfulness for a Proposed Use for a conservatory (re-submission following: BR/140/09/CLP)

***Written Representations***

**PINS Ref:** APP/C3810/X/09/2118473

**BR/213/09/**

Received: 16-12-2009

95 Hawthorn Road Bognor Regis

Rear extension and loft conversion

***Written Representations***

**PINS Ref:** APP/C3810/D/09/2118722

**FP/126/09/**

Received: 20-01-2010

40 Flansham Park Felpham

Remove existing wall and fence, replace with featheredge fencing with concrete posts and move gate/pedestrian access alongside garage

***Written Representations***

**PINS Ref:**

**CIC/P/23/06/**

Received: 30-07-2009

69 The Causeway Pagham

Alleged unauthorised change of use of land

***Written Representations***

**PINS Ref:** APP/C3810/C/09/2109466

**LOCATION:** 33 Aldwick Avenue Bognor Regis

**SUBJECT:** Extensions and alterations (re-submission following refused application AW/37/09)

**Planning Application Reference:** AW/116/09/

**Appeal Decision:** Dismissed

**Date:** 22 December 2009

**Appeal Procedure:** Written Representations

**Inspector:**

**PINS Ref:** APP/C3810/D/09/2116868

**Application Decision:** Refused

**Date:** 28 August 2009

**Decision Process:** Delegated

**Original Officer Recommendation:** Refuse

## SUMMARY OF REASONS FOR REFUSAL

1. The proposed extensions by reason of their scale, height and mass would fail to integrate with and appear subservient to the host dwelling which is detrimental to the character and appearance of the property and the street scene.
2. The proposed extensions, by reason of their scale and proximity, size and height would result in an unacceptable sense of enclosure, overbearingness and overshadowing to no 31, and the balcony feature would result in unacceptable overlooking and loss of privacy which is detrimental to the residential amenities of neighbouring properties.

## ISSUES IDENTIFIED BY THE INSPECTOR

The Inspector considered the main issues to be the effect of the development on the character and appearance of the building and area; and on the living conditions of the occupiers of 31 and 35 Aldwick Avenue, with particular regard to natural light, outlook and privacy.

## INSPECTORS ASSESSMENT

Aldwick Avenue is characterised by an eclectic mix of large and closely spaced detached dwellings in a wide variety of materials and styles. The appeal property occupies a narrow plot. It is an unusual detached house on 3 storeys which are enveloped in a tall and very steeply sloping ridged roof that extends almost to ground level on both sides. The present simple and striking triangular external form makes good sense of a narrow site whilst preserving a sense of spaciousness to either side of the building.

Policy DEV19(i) of the Arun District Local Plan requires that the extension 'sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials'.

The Inspector considered that the proposed extension to the east roofslope would disrupt the building's simple form and symmetry, particularly in views from the east, and would thereby adversely affect the building's currently positive presence in the street scene. The increased height and presence of the garage wing would further distort the simple form as well as screening some views from the main building. The Inspector considered that the extensions would not relate sympathetically to the existing building in design, form or scale, and would therefore contravene DEV19(i).

Policy DEV19(v) also requires that extensions do not compromise the established spacial character and pattern of the street. By filling more of the present gap wit the very different adjacent house at no31, the extension would highlight the visual contrast between the buildings and make the streetscene appear more cramped.

The Inspector concluded that the proposed development would harm the character and appearance of the building and the area and would contravene the development plan in that regard.

The proposed side extension would bring the built form much closer to no. 31, with a further reduction in natural light and outlook. However the impact on the affected flank windows would not on its own warrant the dismissal of the appeal as they serve secondary functions or non habitable rooms.

The flat roofed garage does not at present cause significant loss of natural light or outlook to the principal windows to habitable rooms at the front of no. 31. However the proposed increase in height and the introduction of a steeply sloping roof so close to the boundary and extending so far forward of no.31 would significantly restrict outlook and natural light resulting in an oppressive and overbearing effect.

The Inspector did not consider the proposed balcony alteration to be significant in terms of any loss of privacy to no 35. Overlooking associated with flank windows in the altered dwelling would also be unlikely to significantly impact on privacy of either neighbour having regard to the present windows in these elevations, to the positions and functions of the relevant windows, and to the opportunities to restrict outlook by obscure glazing or similar measures.

The Inspector concluded that the extensions would not significantly harm privacy at either neighbouring property but the extension to the garage wing in particular would have an unacceptable impact on light and outlook to habitable rooms at no. 31.

## **RELEVANT POLICIES**

DEV19 GEN7

## **POLICIES SUPPORTED**

As Above

## **APPLICATION FOR COSTS MADE/REASON**

None

## **COSTS AWARDED**

N/A

## **COMMENT**

The Inspector supported the Officer's decision.

**Background Papers:** AW/116/09/

**Contact:** Mrs J Chapman

**Telephone:** 01903 737657

**LOCATION:** 1 The Ridings Aldwick Bay Estate Aldwick

**SUBJECT:** Erection of a single storey timber framed garage to the front of the property against the south east boundary

**Planning Application Reference:** AW/80/09/

**Appeal Decision:** Dismissed

**Date:** 22 December 2009

**Appeal Procedure:** Written Representations

**Inspector:**

**PINS Ref:** APP/C3810/D/09/2115301

**Application Decision:** Refused

**Date:** 04 August 2009

**Decision Process:** Delegated

**Original Officer Recommendation:** Refuse

## SUMMARY OF REASONS FOR REFUSAL

By reason of its scale and siting forward of the dwelling, the garage would be detrimental to the visual amenities and character and appearance of the surrounding area. If the Local Planning Authority were to approve the garage they would find it difficult to resist similar proposals in the vicinity, the cumulative effect of which would be to alter the open spacious character and appearance of the Aldwick Bay Conservation Area.

## ISSUES IDENTIFIED BY THE INSPECTOR

The Inspector considered the main issue to be the effect of the development on the character and appearance of the area, and in particular whether it preserves or enhances the character or appearance of the Aldwick Bay Estate Conservation Area.

## INSPECTORS ASSESSMENT

The Conservation Area is a planned mid 20th Century residential estate of mainly detached high quality houses. The houses are set back from the estate roads in a spacious low density layout with extensive planting.

Front gardens within the estate are generally open with garages and other ancillary buildings sited to the side or rear of the houses. The Appellant has drawn attention to some exceptions within the estate. However these typically related to larger properties which otherwise retain more extensive open space to front.

The appeal property occupies one of the smaller plots on the estate. The subject double garage building thus occupies a large proportion of the front garden which is otherwise mainly surfaced as a parking area. The building is detached from the front of the house but is sited in close proximity to it and overlaps a ground floor window. There is some established planting to the south east of the building but this does not screen public views from the north east in which there is an incongruous juxtaposition of the garage with the house. Neither is the permanent retention of that or any other planting assured. As such the building detracts from the characteristic openness of the space between the house and the road that contributes to the spacious and verdant qualities of the conservation area.

In terms of form and materials the building has a rustic timber frame with wavy edged boarding to the elevations. That style and materials might be found in more rural locations but they are not characteristic of this estate. In any event the modern flat felt roof is uncharacteristic of rustic buildings. The dummy pitch in cedar tiles along one edge of the roof is unconvincing as it does not conceal the flat roof from other directions including some views from the road. The Inspector therefore disagreed with both the Appellant or the Estate Company that the building is in keeping with the house or its setting.

As the building is both of permanent form and much larger than any vehicle, it is more obstructive of openness than the vehicles it may house. Moreover the site layout would still allow for vehicles to be parked in the open.

The Inspector concluded that the development does not preserve or enhance the character or appearance of the conservation area, and that the appeal should be dismissed.

**RELEVANT POLICIES**

GEN2, GEN7, AREA2

**POLICIES SUPPORTED**

As Above

**APPLICATION FOR COSTS MADE/REASON**

None

**COSTS AWARDED**

N/A

**COMMENT**

The Inspector supported the Officer's decision.

**Background Papers:** AW/80/09/

**Contact:** Mrs J Chapman

**Telephone:** 01903 737657



**LOCATION:** Fig Tree Cottage Cross Lane Findon

**SUBJECT:** Change of use from holiday let to a residential dwelling

**Planning Application Reference:** FN/69/08/

**Appeal Decision:** Dismissed

**Date:**

**Appeal Procedure:** Written Representations

**Inspector:** Neol Hutchinson

**PINS Ref:** APP/C3810/A/09/2110066/NWF

**Application Decision:** Refused

**Date:** 04 February 2009

**Decision Process:** D C Committee

**Original Officer Recommendation:** Refuse

## SUMMARY OF REASONS FOR REFUSAL

Having regard to the limited area of the site and its relationship to existing residential properties the proposed continual residential occupation would give rise to an unneighbourly form of development which would be prejudicial to the amenities and environment of the locality in conflict with policies DEV1, LOC1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan. Furthermore, based on the information submitted the Local Planning Authority is not satisfied that there is insufficient demand for the tourism use previously approved on this site under policy NE12 of West Sussex Structure Plan and policy DEV34 of Arun District Local Plan.

## ISSUES IDENTIFIED BY THE INSPECTOR

The affect of the permanent residential use of the premises on the living conditions of occupants of neighbouring residences and whether there is no longer sufficient demand for this property as holiday let accommodation.

## INSPECTORS ASSESSMENT

The appeal premises consist of a small building for use as a holiday let. It provides two bedroom accommodation, with an integral garage. The building has been constructed to successfully create the character and appearance of a much older property.

The village is characterised by narrow lanes with many small properties closely grouped together. The appeal property is considerably smaller than neighbouring properties. The building is pressed hard against the southern and eastern boundaries to provide a small courtyard with parking provision for two cars, one of which is for the use of the occupiers of Tweenways. The remaining Northwest/west part of the site is a very small amenity area. The building therefore appears particularly cramped on this plot, out of character with that of surrounding residential development

Given the proximity of surrounding residences, activity within the property would have a significant impact upon them by virtue of the noise and disturbance caused through general comings and goings and use of the outside amenity area relating to continual residential occupation. This would apply particularly to Tweenways that now has a similarly limited plot following the loss of land from the development of the appeal premises. It is noted that permission had previously been sought for a detached dwelling on the site but had been refused permission because of the impact on

properties to the rear in Tudor Close, the cramped appearance of the site and adverse effect on the character of the area. The change of use from holiday let accommodation to a residential dwelling would result in an unneighbourly form of development harmful to the amenities and environment of the locality.

With regard to the demand for this property as holiday let accommodation, the appellant was supported by the Tourism Officer. It was expressed that high quality self contained accommodation was scarce and demand was high. While recognising the effect of the current economic climate, no other reasons have been provided by the appellant to explain why this high quality accommodation no longer appeals to tourists.

This is a recently completed property that has only been available over the last year or so. It has been advertised through a holiday letting agency but it is still in the relatively early stages of promotion. No detailed evidence has been provided to show that the property has not received bookings or that the letting rates are realistically priced. The buildings charm with its green oak construction and rustic detailing, together with its convenient siting within the heart of the village, are features likely to make these premises particularly attractive to tourists. I am aware that further permissions have been granted for tourist accommodation, but I see no evidence to suggest that there is an over provision of such accommodation likely to affect the viability of the appeal premises. It is considered that there is insufficient demand to support the change the use of the premises from holiday let accommodation to a residential dwelling.

## RELEVANT POLICIES

West Sussex Structure Plan Policies (Now Cancelled): DEV1, CH1, CH2, NE12

Arun District Local Plan Policies: GEN7, AREA9, DEV34

Planning Policy Guidance: PPS1, PPG13, PPS7, PPG21

## POLICIES SUPPORTED

West Sussex Structure Plan Policies (Now Cancelled): DEV1, LOC1

Arun District Local Plan Policies: GEN7

## APPLICATION FOR COSTS MADE/REASON

None

## COSTS AWARDED

N/A

## COMMENT

Comments noted.

**Background Papers:** FN/69/08/

**Contact:** Mrs A Gardner

**Telephone:** 01903 737529

**LOCATION:** 25 Glynde Crescent BOGNOR REGIS West Sussex

**SUBJECT:** Two storey side extension

**Planning Application Reference:** FP/113/09/

**Appeal Decision:** Dismissed

**Date:** 22 December 2009

**Appeal Procedure:** Written Representations

**Inspector:**

**PINS Ref:** APP/C3810/D/09/2116654

**Application Decision:** Refused

**Date:** 04 September 2009

**Decision Process:** Delegated

**Original Officer Recommendation:** Refuse

## SUMMARY OF REASONS FOR REFUSAL

The proposed extension would constitute a cramped form of development, extending across the whole width of the plot, out of keeping with the existing development pattern and detrimental to the character and appearance of the surrounding area.

## ISSUES IDENTIFIED BY THE INSPECTOR

The inspector considered the main issues to be the effect of the development on: the character and appearance of the area; and the living conditions of the occupiers of 27 Glynde Crescent, with particular regard to natural light and outlook.

## INSPECTORS ASSESSMENT

No 25 Glynde Crescent is part of an estate development of similar semi-detached houses that also includes chalet-style dwellings and some detached houses. Whereas the dwellings are closely-spaced and employ a limited number of designs, the area has a generally spacious suburban character.

The gap between no's 25 and 27 is only partly filled at ground floor level by a flat roofed garage at no 25 which extends to the joint boundary and which could be demolished and replaced by the proposed extension. The extension would suitably reflect the materials and general form of the existing house and the Council does not object to its design. However the Inspector did not accept the Appellant's contention that the development would positively enhance the look of the dwelling.

One effect of the development would be to appreciably narrow the overall gap between the two houses at first floor level. The group of four houses would thereby come to resemble a terrace with only a narrow surviving gap occupied by the driveway at no.27. That would alter the character of the group of dwellings and this part of the road.

Whilst the appellant has referred to other examples of permitted extensions, the Inspector was not provided with full details. The most similar development nearby has not been referred to but is at no.37 Glynde Crescent. Nevertheless the house stands well forward of its neighbour and no terracing effect arises. The extension at no 31 Glynde Crescent is set at right angles to the street and not within a gap between buildings.

The Inspector concluded that the development would contravene Policy Dev19 (iv) and would have a terracing effect that would harm the appearance of this group of dwellings and would harm the spacious character of the area.

No 25 stands to the west of no 27 and will already cast a shadow over the flank window and parts of the rear garden there at some times of day. The effect of the proposed development would be to lengthen those shadows and also to reduce natural skylight entering the windows. Outlook from these flank windows would also be curtailed. The effects are mitigated in that one of the affected windows serves a landing rather than a habitable room and the other apparently serves a kitchen which may have alternative windows to the rear. The Inspector did not consider these effects to be significant enough to be unacceptable to warrant refusal in their own right. However the harm adds to other identified impacts.

## RELEVANT POLICIES

DEV19 and GEN7

## POLICIES SUPPORTED

As Above

## APPLICATION FOR COSTS MADE/REASON

None

## COSTS AWARDED

N/A

## COMMENT

The Inspector supported the Officer's decision.

**Background Papers:** FP/113/09/

**Contact:** Ms A Paice

**Telephone:** 01903 737500 x 37314

**DEVELOPMENT CONTROL COMMITTEE**

**03 February 2010**

**PLANNING APPLICATIONS**

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

**ARUNDEL**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
AB/136/09/T	To fell 10m strip around the boundary of the woodland to prevent damage to adjoining houses. The large Oak trees in this strip will be inspected and deadwooded. Any small oak will be respaced. The area cleared will be maintained as a woodland habitat.	Stewards Copse Bordering A27 west of Arundel an Dukes Close Arundel

**Case Officer :** Mr J Smith

**Recommendation:** Approve Cond

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

**YAPTON**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
Y/70/09/	Outline application for demolition of existing industrial units with 7 x 3 bedroom 2.5 storey houses & small commercial/retail unit with 2 bed apartment over & access to Main Road via Kings Close	Works Site Kings Close Yapton

**Case Officer :** Mr J Baeza

**Recommendation:** Approve Cond

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**LITTLEHAMPTON**

<b><u>Reference</u></b>	<b><u>Development Description</u></b>	<b><u>Location</u></b>
LU/315/09/A	1 no. non-illuminated 6.7m tall canopy sign	Travis Perkins Site New Road Littlehampton

**Case Officer :** Ms E E Hearsey

**Recommendation:** Approve Cond

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LU/316/09/	2 no semi-detached bungalows & associated site works	Part of 3 & 5 Harting Road Littlehampton
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**Case Officer :** Mrs A Gardner

**Recommendation:** Approve Cond

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LU/333/09/                      Extend existing end of terrace house to accomodate 2 no. 2 bed flats plus parking                      34 Gosden Road  
Littlehampton

**Case Officer :**                      Mr P Cleveland

**Recommendation:**                      Approve Cond

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**FINDON**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
FN/65/09/	To replace the existing antenna support pole surmounting the tower, install three UHF Panel antennas, one 0.75m VSAT dish antenna and a replacement equipment cabin for the Digital Switchover (DSO)	Arqiva Transmitting Station High Salvington Reservoir West Hill Findon

**Case Officer :**                      Mrs A Gardner

**Recommendation:**                      Approve Cond

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**FERRING**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
FG/143/09/	Single storey side extension, rear conservatory, rebuild garage and new loft conversion	60 Beehive Lane Ferring

**Case Officer :**                      Mr J Smith

**Recommendation:**                      Approve Cond

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**EASTERGATE**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
EG/67/09/	Outline application for a new medical centre incorporating pharmacy retail unit (class A1) and other ancillary uses together with access off Barnham Road and associated car parking. (This application is a departure from the development plan)	Land adjacent to the Croft Surgery Barnham Road Eastergate

**Case Officer :**                      Mrs A Gardner

**Recommendation:**                      Approve Cond

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**BOGNOR REGIS**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
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BR/276/09/ Conversion of garage to annexe to accommodate a young person leaving care (supported lodgings). 17 Church Lane Bognor Regis

**Case Officer :** Mrs S Leeson  
**Recommendation:** Approve Cond

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**BERSTED**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
BE/119/09/	Proposed two storey extension (re-submission following BE/79/09)	1 Stroud Green Drive Bersted Bognor Regis

**Case Officer :** Ms A Paice  
**Recommendation:** Approve Cond

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**ALDWICK**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
AW/211/09/	Construction of a 4 bed detached house with integral garage.	land adj to 16 Wychwood Close Aldwick

**Case Officer :** Mr J Baeza  
**Recommendation:** Approve Cond

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AW/221/09/	Rear single and two storey extension	27 Grange Court Aldwick Bognor Regis
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**Case Officer :** Ms A Paice  
**Recommendation:** Approve Cond

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**ALDINGBOURNE**

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
AL/113/09/	Alterations to the approved road design forming a 500m length of the BRNRR - Reserved Matter Application Ref: FP/220/07 (This application affects a Public Right of Way & also falls within the parish of Yapton)	Land north of Felpham Bognor Regis

**Case Officer :** Mr K Wheway  
**Recommendation:** Approve Cond

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AL/114/09/

Proposed tourist units in redundant farm building- amendment to AL/92/08 (in lieu of the B1 use approved) - This application is a Departure from the Development Plan

New House Farm  
Norton Lane  
Aldingbourne

**Case Officer :** Mrs S Leeson

**Recommendation:** Refuse

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**TREE WORKS CONSENT REPORT****REF NO:** AB/136/09/T**LOCATION:** Stewards Copse  
Bordering A27 west of Arundel and  
Dukes Close Arundel**PROPOSAL:** To fell 10m strip around the boundary of the woodland to prevent damage to adjoining houses. The large Oak trees in this strip will be inspected and deadwooded. Any small oak will be respaced. The area cleared will be maintained as a woodland habitat.**SITE AND SURROUNDINGS**

<b>DESCRIPTION OF APPLICATION</b>	As above. The application involves the clearing of a 10 metre strip of land around the entire perimeter of Stewards Copse. The applicant has stated that this is to help allow access to the woods for maintenance purposes.
<b>SITE AREA</b>	Approximately 17.2 hectares.
<b>RESIDENTIAL DEVELOPMENT DENSITY(NET)</b>	N/A
<b>TOPOGRAPHY</b>	Undulating.
<b>TREES</b>	The entire site is densely wooded with mature, predominantly deciduous, trees of a number of different species.
<b>BOUNDARY TREATMENT</b>	The woodland faces directly onto the highway at Priory Lane to the west, the A27 to the north and Dukes Close to the east. There is also boundary fencing of various designs and heights where the wood abutts the rear gardens of properties on Dalloway Road, Oak End, Hazel Grove and Birch Close.
<b>SITE CHARACTERISTICS</b>	Stewards Copse is a section of Ancient Woodland that is also deemed as a Site of Local Importance for Nature Conservation. It is bisected by a public footpath. There is a stream that issues and runs along the south eastern boundary of the woodland, to the rear of properties on Dalloway Road. The site is covered by blanket Tree Preservation Orders TPO/A/1/73 and TPO/A/1/79.
<b>CHARACTER OF LOCALITY</b>	The site is located outside of the built-up area although residential development borders the southern and eastern edges of the woodland. A section of the eastern part of the woodland borders a school playing field. To the west there is a continuation of woodland whilst to the north is the A27 and open fields and downland. A mobile phone mast has been erected towards the centre of the site.

**RELEVANT SITE HISTORY**

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Arundel Town Council

No objection subject to the proposal being acceptable to the Arboriculturalist.

20 letters of objection. One petition signed by 4 individuals. There is no reason stated for clearing woodland where no trees adjoin houses. There should be more information supplied. The cleared area would give access to 'travellers', off-road vehicles and fly-tippers. Increased access will churn up the footpaths. There is nothing to indicate that trees, other than Oaks, will not be felled. This may lead to a future application for the development of the area. Houses in Dalloway Road have not been damaged by falling trees. No site notices were visible. Why not just cut the trees back? Would lead to the destruction of a woodland habitat. The application description make no reference to a 'ride.' Neighbours should have been notified before the application was made. Would reduce the woodland by alarming proportions. There should be more detail supplied. The construction of a path will create security issues for residents and detract from natural paths that exist. Would this be affected by National Park status. The wood is precious and much used by dog walkers. The objective is to prevent damage to houses but houses only border a small part of the area defined. The woodland is unique, non-maintained and protected woodland area. An arboricultural report, ecological assessment, habitat survey and visual impact assessment should be provided. Will dramatically change the appearance of many public views. Removal of trees would exacerbate an existing flooding problem. Were the Woodland Trust consulted. The loss of woodland would affect privacy. Have seen no evidence of maintenance of the woods in the past.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The applicant has confirmed that the cleared area will allow for easier access to the site for maintenance purposes and that not all trees would be cleared. The site retains its status as an ancient woodland and remains outside the built-up area boundary, this would make a potential future development of the site for housing highly unlikely. A large proportion of the woodland would be unaffected by the proposal. The site is not owned by the Woodlands Trust. Site notices were displayed widely around the perimeter of the site, their locations have been recorded on a map. Additional information such as visual impact assessments and habitat surveys would not be required for an application of this nature. Any works allowed would be subject to the Wildlife and Countryside Act (1981) which provides legal protection to endangered species. Informatives will be attached to any given approval reminding the applicant of the requirements of the act and of the need to adhere to them.

## CONSULTATIONS

Horticulturist

### CONSULTATIONS RESPONSES RECEIVED:

Stewards Copse Wood is under a Woodland Preservation Order.

The Estate Company, in order to alleviate the problem of damage, wish to create a 10m, wide strip of maintained woodland habitat, accomplishing this in stages over a period of time. In order to progress this they will need to remove a number of trees within the strip, some of which are too close to property and others which are potential failures in terms of tree health. Healthy trees such as Oak, Beech and Sweet Chestnut would remain and be maintained as appropriate as they are under the existing TPO.

The understory plants and coppice Hazel, Blackthorn, Holly and other allied woodland species will be retained and tree seedlings of an appropriate age and species will be replanted in the managed strip and within the main Stewards Copse Wood, with the aim of continuing the

existing woodland environment, but with out the risk of damage to property which has been experienced in the past.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

### **POLICY CONTEXT**

Designation applicable to site:

Outside Built-Up Area

Site of Local Importance for Nature Conservation

Tree Preservation Order

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN28	Trees and Woodlands
	AREA15	Sites of Local Importance for Nature Conservation

#### **PLANNING POLICY GUIDANCE**

	PPS1	Delivering Sustainable Development
	PPS7	Sustainable development in rural areas
Supplementary Guidance:	XXX1	Circular 36/78
Supplementary Guidance:	XXX2	DETR TPO's A guide to Law and Good Practice

### **POLICY COMMENTARY**

The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific to trees.

### **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 198 of the Town and Country Planning Act 1990 states:

"If it appears to a Local Planning authority that it is expedient in the interest of amenity to make provision for the preservation of trees.... they may for that purpose make an order"

The works to the trees are to be judged having regard to amenity.

### **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 proposal involves the clearing of a section of forest outside the built-up area. Development that is outside the built-up area is subject to the criteria of Policy GEN3 of the Arun District Local Plan. Paragraph (i) of GEN3 informs that development will not be permitted unless it meets the operational needs of agriculture, forestry. The applicant has stated that, by clearing a strip around the perimeter of Stewards Copse, access for forest maintenance would be made easier and, therefore, it is considered the proposal meets the operational needs of forestry. It is noted

that Stewards Copse is Ancient Woodland and is within a Site of Local Importance for Nature Conservation. It is considered that the impact on the conservation role of Stewards Copse would be acceptable as the majority of the woodland would remain. Works would also be governed by the 1981 Wildlife and Countryside Act and this helps safeguard against damage or loss of endangered species of flora and fauna.

#### **WOODLAND MANAGEMENT:**

Stewards Copse is covered by two separate Tree Preservation Orders, the intended purpose of which is to safeguard the woodland through requiring good husbandry and effective woodland management. They are not in place to preclude the removal of trees in any circumstance. It is considered that the proposal is acceptable as the majority of Stewards Copse would not be affected by it and, as stated by the applicant, it would allow for easier access to the site for maintenance and reduce the risk of trees falling on members of the public or property. It is also noted that the creation of a woodland ride may increase biodiversity on the site by providing more suitable conditions for organisms such as wild flowers.

#### **VISUAL IMPACT AND AMENITY:**

The majority of Stewards Copse would not be affected by the proposal and would continue its role as a visual and conservation amenity. Although the clearance of a 10 metre strip around the perimeter of the woodland would mean that the trees are further back from the woodland boundary, in most places the woodland backs onto the rear gardens of dwellings and the proposal would not have a material impact on the character and appearance of the street scene. It is noted that Stewards Copse borders the street directly at the end of Jarvis Road, and alongside Dukes Close, the A27 and Priory Lane. Dukes Close is lined by terraced two storey dwellings and it is not considered this produces an urban appearance that would not be adversely affected by the proposal. The remaining trees at Stewards Copse would continue to screen the A27 from view and help absorb noise from the road, preserving amenities of nearby residents. Priory Lane is a narrow rural road with an intimate appearance provided by overhanging trees. However, there are clearings in places along the road and it is considered that the proposal would not have a negative impact on its character and appearance. The dense trees of Stewards Copse would still be clearly visible from the road.

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

### **RECOMMENDATION**

#### **APPROVE CONDITIONALLY**

- 1 The works hereby approved shall involve the clearing of a 10 metre strip of woodland around the perimeter of Stewards Copse.

All works shall be carried out in accordance with BS 3998: 1989 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan

- 2 The work hereby approved shall be undertaken under the supervision of the Local Planning Authority who shall be notified in writing, not less than 7 days before the work commences.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The applicant shall during the next planting season following the felling of the trees, the subject of this application, plant species that are compatible with the objective of creating a woodland habitat and are approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by similar trees in similar positions during the next planting season.

Reason: To retain trees in the interests of the environment of the locality in accordance with policy GEN7 of the Arun District Local Plan.

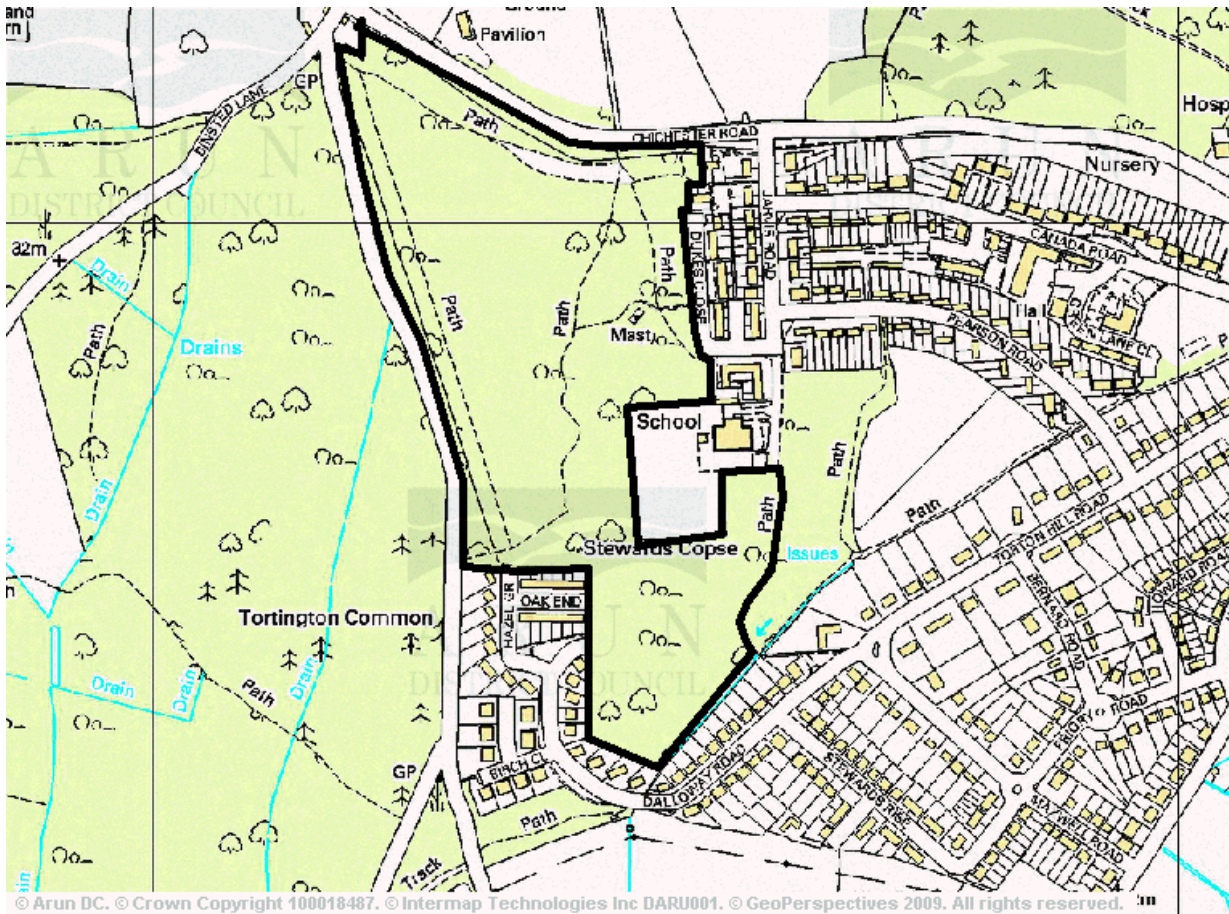
- 4 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 6 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

**AB/136/09/T 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:** Y/70/09/**LOCATION:** Works Site  
Kings Close  
Yapton**PROPOSAL:** Outline application for demolition of existing industrial units with 7 x 3 bedroom 2.5 storey houses & small commercial/retail unit with 2 bed apartment over & access to Main Road via Kings Close**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The 8 dwellings are proposed in outline form only with all other matters including landscaping, appearance and access would be addressed by way of a reserved matters application.
SITE AREA	0.1977 Hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	40 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Eastern boundary is a 2m high wooden close boarded fence also marking side boundary of properties April Cottage and Kingswood.
SITE CHARACTERISTICS	A single storey prefabricated type building housing a printing business and another smaller and currently vacant similarly designed industrial building.
CHARACTER OF LOCALITY	Centre of Yapton village with residential development to the south, east and west. A parade of local shops to the north fronting Main Road.

**RELEVANT SITE HISTORY**

Y/57/76	Outline for 8 terraced houses with 8 garages and 9 parking spaces	Approve Cond 02-02-1977
Y/21/76	Outline for development of 11 terrace houses 8 garages and 6 car spaces	Refused 09-06-1976

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**  
Yapton Parish Council



Objection.

Whilst they support the principle of residential development it objects to the high density which is not in keeping with this small Close. It is also concerned by the impact that the extra vehicles would have on the free flow of nearby traffic.

4 neighbouring objections

Housing too high and proposed dormers and windows will overlook neighbouring properties which include a bungalow.

Additional traffic will worsen existing highway problems.

A strong objection to deletion of access to the rear of butchers shop north of the site.

Absence of pathway and kerb alongside adjacent residential properties.

Fear of asbestos from demolition of old factory buildings.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

The proposal for 9 dwellings is not an overdevelopment of the site. PPS3 and GEN7 indicate that a site of this nature must have a minimum density of 30 dwellings per hectare and in this case a higher figure of 40 is proposed. The current industrial designation of the site has the potential for significant vehicle generation and the number of dwellings are not considered likely to materially exceed what is already likely.

Fears concerning overlooking, highway design and rear access to shop fronting Main Road to be dealt with by Reserved matters application. Handling of asbestos controlled by other legislation.

**CONSULTATIONS**

WSCC Local Development Divis.

Parks and Landscapes

**CONSULTATION RESPONSES RECEIVED:**

Economic Regeneration

Unable to resist application as precedent for residential development has been set by approval of development of 10 dwellings abutting the site to the south ref Y/74/04. Request a financial contribution to assist employment elsewhere in the district.

County Highways

No objection.

Clarification sought of highway works agreed under consent for reserved matters, ref Y/74/04, for 10 dwellings immediately abutting the site to the south. Given the current potential for vehicle generation from industrial uses they do not foresee a material intensification of local highway. Designation of internal layout is required at reserved matters stage and would request that road be adopted at that stage. The 14 car parking spaces proposed is within County parking standards.

Environmental Health

No objection subject to conditions regarding possible contamination

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. County highways raised no objection to highway works proposed by Y/74/04. Recommended section 106 for reserved matters application could include, in addition to adoption of highway improvements, some off site commuted industrial payment.

**POLICY CONTEXT**

Designation applicable to site:

Within Built-Up Area Boundary

Class 'B' Road

**DEVELOPMENT PLAN POLICIES**

South East Plan:

SEPH5

Housing Design and Density

Arun District Local Plan:	GEN7 GEN31	The Form of New Development Contaminated Land
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## PLANNING POLICY GUIDANCE

PPS1 PPG13 PPS3	Delivering Sustainable Development Transport Housing
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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 site lies within the built-up area where the Government's Planning Policy Statements 1 & 3 emphasise the need to make efficient use of land for development but also advises that new housing is well integrated with and complements neighbouring buildings and the local area generally in terms of scale, density, layout and access. Regard is also needed to protect amenities and the existing use of lands and buildings.

### Character and Appearance of Locality

Immediately to the south of the site is permission, granted in February 2005, to erect a mixture of ten detached and semi detached houses with garaging and parking spaces (ref Y/74/04). This is a strong material consideration in this case. With this permission in place there would be no unacceptable harm on the character and appearance of the immediate locality from this proposal.

### Residential Amenity

The gable end of one of the 2x3 bed houses terrace is unduly close to the rear elevation of the 2 bed detached house permitted by Y/74/04. However, acceptable residential amenity would be achieved when design and external appearance issues are addressed when a reserved matters application is submitted.

Acceptable distances between properties are proposed elsewhere for there to be no conflict with amenity levels.

### Highway Matters

County highways are satisfied that as all matters are reserved details concerning highway layout can be secured to acceptable standards at a later stage.

#### Conclusion

The site is suitable for residential development particularly as a precedent has been set by approval Y/74/04. Any issues concerning residential amenity and highway safety are capable of being satisfied by later consideration of the siting and design of the dwellings together in addition to the detailed design of the highway layout. It is therefore recommended that the application is granted permission subject to the conditions set out overleaf.

### **RECOMMENDATION**

#### APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Access;
- (e) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The buildings hereby permitted shall not be occupied until provision for car 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 cars.

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.

- 4 The buildings hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

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

- 5 No development shall take place unless and until details of the layout and specification of and construction programme for the roads, footpaths and casual parking areas the foul and surface water drainage and means of disposal have been submitted to and approved

by the Local Planning Authority. No house shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

Reason: To secure satisfactory standards of access and drainage for the proposed development in accordance with policy GEN7 of the Arun District Local Plan.

6 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

7 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policies GEN7 and GEN31.

8 Prior to [commencement of development]/ [occupation of any part of the permitted development], a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action,

as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policies GEN7 and GEN31.

- 9 This permission relates to the following approved plans: 08002-LOC, 08002-01, 08002-05, 08002-10 all received 30 October 2009.

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.

- 10 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

SOUTH EAST PLAN: H5

LOCAL PLAN: GEN7, GEN31

NATIONAL POLICIES: PPS1, PPS3, PPG13, PPS23

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



**ADVERTISEMENT CONSENT REPORT**

**REF NO:** LU/315/09/A

**LOCATION:** Travis Perkins Site  
New Road  
Littlehampton

**PROPOSAL:** 1 no. non-illuminated 6.7m tall canopy sign

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks consent for 1 no. non-illuminated 6.7 metre high canopy sign. The sign is constructed by 2 no. steel posts to a height of 6.6 metres and a square 'Lidle' sign fixed between the upper section of the posts. The sign itself will measure 1.95 metres wide x 1.95 metres high. (The sign is identified as number 1 on the submitted drawings).
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	A mixture of fencing and walling surrounding the site of different heights.
SITE CHARACTERISTICS	The site currently contains Travis Perkins, a timber and materials merchant.
CHARACTER OF LOCALITY	Predominantly residential, and on the edge of the retail town centre.

**RELEVANT SITE HISTORY**

LU/176/09/A	Various warehouse signage	Approve Cond 01-09-2009
LU/166/09/A	Application for 4 no various illuminated signs (re-submission following LU/227/08/A )	Part Apprv/Ref 19-08-2009

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

Objection. It was deemed too high and out of character in a built up area with residential

properties.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted. However, it is noted that on the previous advertisement consent application for 4 no. various illuminated signs, which was part approved and part refused, a similar sign which was both higher and illuminated in the same position to the current application, the Town Council did not raise an objection to height of the sign(s).

**CONSULTATIONS**

WSSC Local Development Divis.

**CONSULTATION RESPONSES RECEIVED:**

County Highways: No objection.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted

**POLICY CONTEXT**

Designation applicable to site:  
(NOT REQUIRED FOR CLE/CLP)

**DEVELOPMENT PLAN POLICIES**

South East Plan:

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

**PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPG19	Outdoor Advertisement Control

**POLICY COMMENTARY**

**ADVERT**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity, aural amenity, public safety, quality of the environment and impact upon the character of the local area.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

**ADVERTS**

Regulation 3(1)(a)(b), 3(2)(a)(b) and 4(3) of the Town and Country Planning (Control of Advertisements) Regulations 2007 states:-

"3(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account -

- (a) The provision of the development plan, so far as they are material; and
- (b) Any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b) -

- (a) Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
- (b) Factors relevant to public safety include -
  - (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);



- (ii) Whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign, railway sign or aid to navigation by water or air;
- (iii) Whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4(3) In determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.

## 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

A previous application for advertisements was part approved, and part refused LU/166/09/A refers. The refused element included a sign in the position of this current application.

However, the sign has been amended since that refusal by being some 550mm lower in height and will be non illuminated.

The sign is to be located within a car park area and will not be readily viewed from outside of the site, plus coupled with the fact that it is to be non-illuminated means that it will not result in detriment to the visual and residential amenities of the locality.

It is therefore recommended that the application for the 1 no. non-illuminated sign be granted consent.

## RECOMMENDATION

APPROVE CONDITIONALLY

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to-
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 3 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

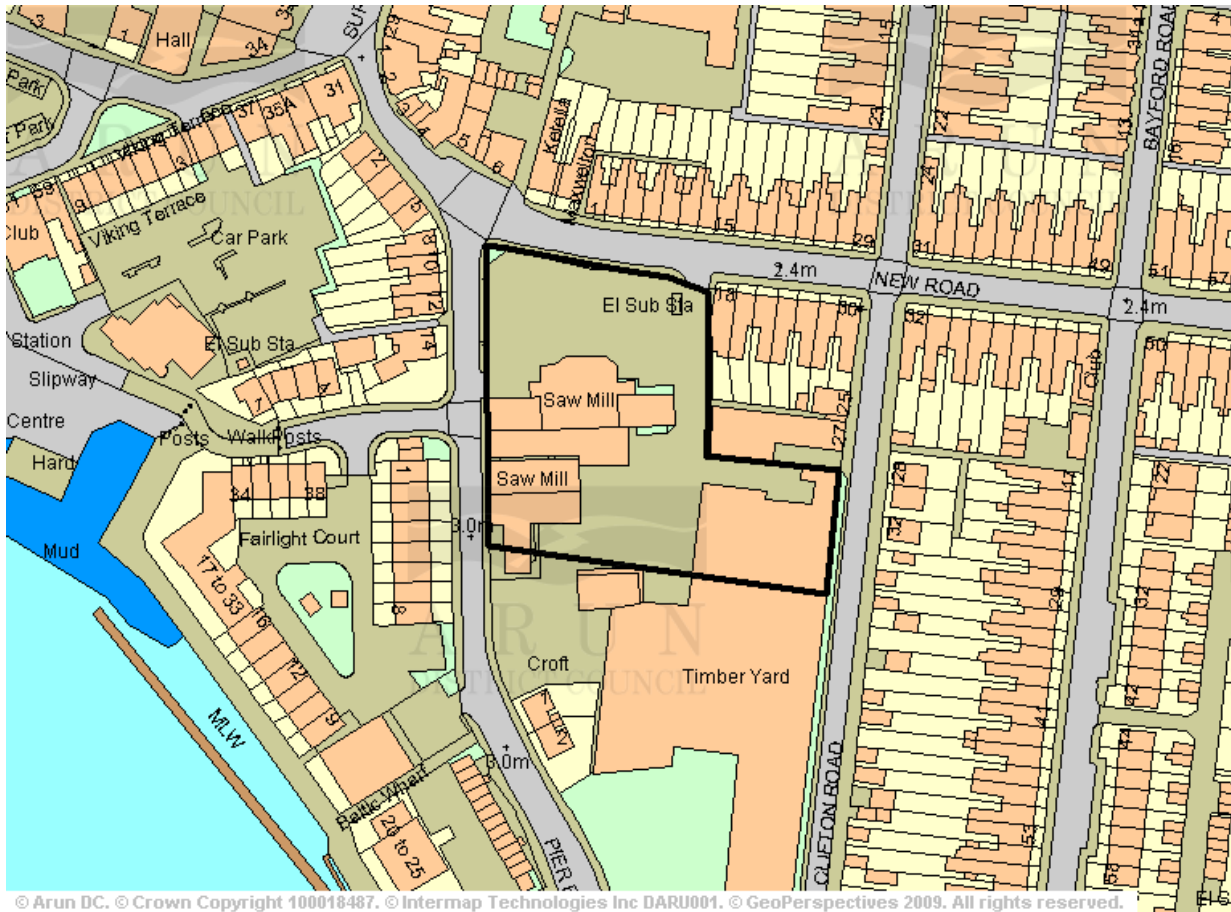
- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

**LU/315/09/A 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/316/09/**LOCATION:** Part of 3 & 5 Harting Road  
Littlehampton**PROPOSAL:** 2 no semi-detached bungalows & associated site works**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is for 2 semi-detached 2 bedroom bungalows located behind Nos. 3 & 5 Harting Road. The dwellings would have a ridge height of 6.2m and a combined floor area of 15m x 11m.
SITE AREA	540sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	18.5 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Rear 1.6m high fencing. Open frontage.
SITE CHARACTERISTICS	Vacant area between 3 and 5 Harting Road. Formerly used as garden area. Bungalows adjoining site have colour washed panels and curved pantile roof tiles similar to those proposed. Swanbourne Road frontage to side is a garage compound and hard standing.  57 Lansdown Road is a bungalow 59 Lansdown Road is a 2 storey dwelling
CHARACTER OF LOCALITY	Residential area. Surrounding area is predominantly characterised by semi-detached bungalows. Several properties have windows and dormers within their roof slopes.

**RELEVANT SITE HISTORY**

LU/374/06/	Outline Application for erection of pair of two bedroom semi detached bungalows.	Approve Cond 24-01-2007
LU/297/05/	Outline Application for single detached bungalow and associated development at rear of existing bungalow	Approve Cond 21-12-2005

LU/298/05/

Outline application for two bungalows and associated development at rear of existing bungalows

Approve Cond  
21-12-2005

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection. Overdevelopment of the site and out of keeping with the area.

### COMMENTS ON REPRESENTATIONS RECEIVED:

The provision of 2 semi-detached would reflect the adjoining style of development in the locality and the plot sizes are comparable . The proposal does not therefore constitute an overdevelopment of the site.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

None

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted

## POLICY CONTEXT

Designation applicable to site:  
Within Built Up Area Boundary  
Open Plan Condition

### DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:                      GEN7                      The Form of New Development

### PLANNING POLICY GUIDANCE

PPS1                      Delivering Sustainable Development  
PPG3                      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

The proposal is for 2 semi-detached bungalows and is a resubmission of an earlier outline approval. The layout of the development and position of the building have been slightly amended and therefore cannot be dealt with as approval of reserved matters. The principle of development on this site in a similar format has therefore been previously approved.

It is considered given the single storey nature of the development and the distance to boundaries that the proposed dwellings would have no materially adverse effect on the residential amenities of adjoining properties. The land to the south of the site is used as a garage compound.

The design of the bungalow would reflect others in the locality and the proposal would have no adverse effect on visual amenities of the locality.

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 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwellinghouses shall be constructed or buildings shall be erected within the curtilages 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.

- 3 This permission relates to the following approved plans Drawing No. 09/3652/1 and 1:50 garden shed cycle storage plan.

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.

- 4 The dwellings shall not be occupied until the parking spaces and turning facilities 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 and turning 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.

- 5      **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:** GEN7

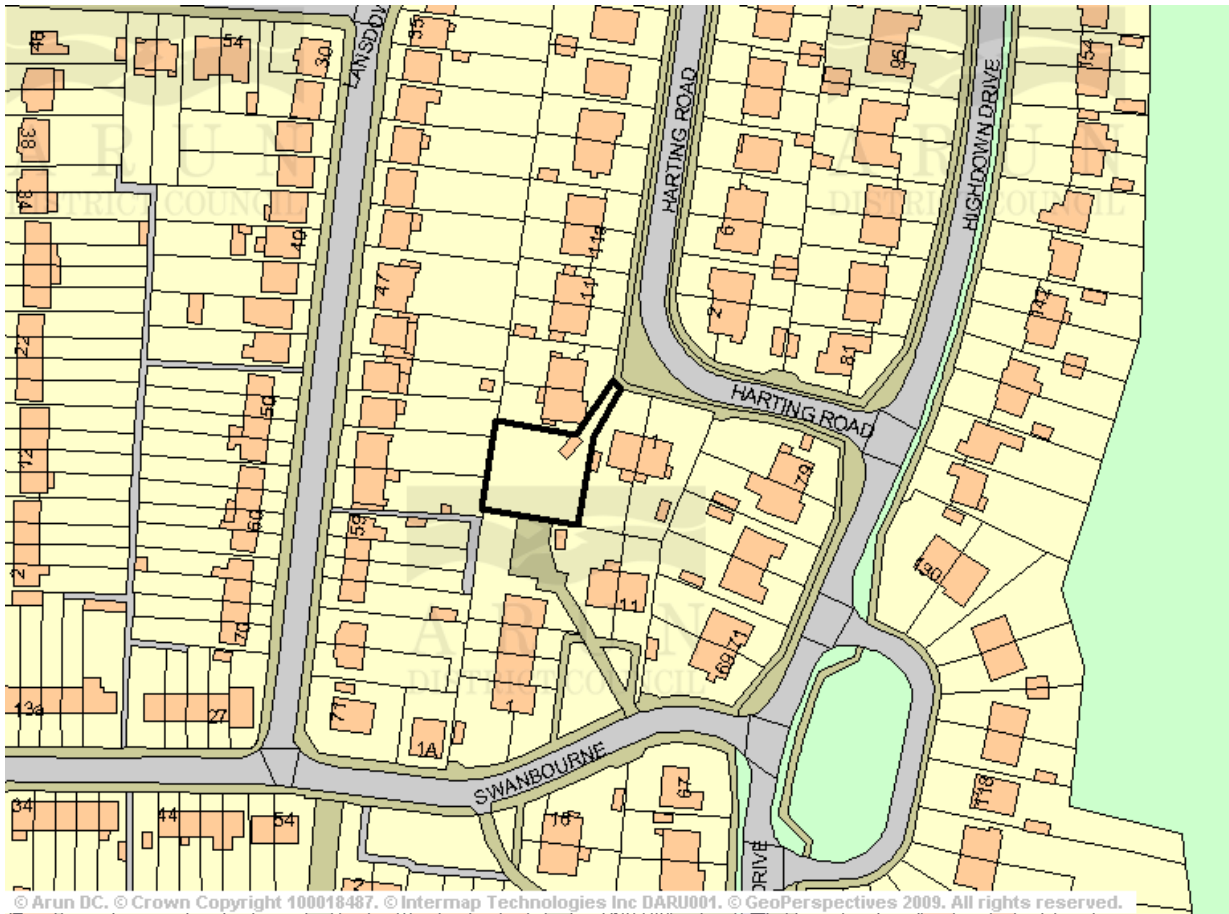
**NATIONAL POLICIES:** PPS1,PPS3

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

**LU/316/09/ 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/333/09/**LOCATION:** 34 Gosden Road  
Littlehampton**PROPOSAL:** Extend existing end of terrace house to accomodate 2 no. 2 bed flats plus parking**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed dwelling will measure approximately 8.2m x 7.6mm x 8.1m high forming 2 self contained flats.
SITE AREA	Approximately 471 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	The site slopes up from the highway.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing and hedging approximately 2m high on the west side elevation. Dwarf brick wall to front boundary.
SITE CHARACTERISTICS	End of terrace 2 storey dwelling. Red brick and render elevations, hipped pantile roof. Detached garage and outhouse between dwelling and west boundary.
CHARACTER OF LOCALITY	Sited within a residential area predominantly characterised by 2 storey terraced properties. No.17 Gosden Road opposite the site has recently had a dwelling added to the end of the terrace(LU/197/05). No.32 has permission for an scheme similar to the proposal and is currently under construction (LU/190/08). Predominantly small gaps between the buildings within the street scene.

**RELEVANT SITE HISTORY**

LU/209/94	Kitchen extension	Approve Cond 26-08-1994
LU/190/08	Extend existing end of terrace house to accommodate 2 No. 2 bed flats and parking.	ApproveCond 12-08-2008
LU/197/05	Two storey extension to existing dwelling and conversion to two self contained flats.	ApproveCond 10-08-2005

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

Objection; Over-development of the site and loss of a family home.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

The site is considered to be of an adequate scale to accommodate the proposal. The proposal does not result in the loss of a family home, it is to maintain the existing dwelling and form 2No. further units of accommodation.

**CONSULTATIONS**

WSCC Local Development Divis.

Env. Amenities & Comm. Safety

**CONSULTATION RESPONSES RECEIVED:**

County Highways:

No information has been provided regarding the width of the access point. It is recommended that the Local Planning Authority attach a condition requiring the applicant to demonstrate the dimensions of the new access layout, with plans and details to be submitted to the planning authority.

No turning for vehicles is available within the site, however this is in-line with the existing access arrangements at the site and also in keeping with neighbouring properties. No highway concerns over the increase in vehicle movements in this location.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. Condition in relation to the new access layout to be agreed and attached to the planning approval.

**POLICY CONTEXT**

Designation applicable to site:

Within the Built-up Area Boundary

Area of Archaeological Interest

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:

GEN2

Built-up Area Boundary

GEN7

The Form of New Development

DEV19

Extensions to existing residential buildings

**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 proposed application seeks permission for a 2 storey end of terrace extension to form 2No. residential units of accommodation. The site is located within the built-up area of Littlehampton and therefore the proposed new dwellings are acceptable subject to relevant development plan policies.

### **VISUAL AMENITY**

The design of the proposed extension is considered to sympathetically relate to the existing dwelling with the eaves and ridge height continuing that of the existing property and through the use of matching materials. The proposal would be approximately 1m from the boundary adjoining No.32 which has permission for a similar scheme which is currently under construction and would be built to maintain a distance of 1m from the boundary, therefore maintaining a gap of approximately 2m between the properties. This is considered to be an acceptable distance as to not result in unacceptable impact upon the spatial characteristics of the street scene.

### **RESIDENTIAL AMENITY**

The proposal includes fenestration within the front and rear elevations facing the rear garden of the site with only oblique views available of neighbouring gardens and the street scene. A 1st floor window is also proposed within the west elevation facing No.32, however this is to be obscure glazed, therefore not resulting in unacceptable overlooking of the adjoining property.

### **COUNTY HIGHWAYS**

County highways have raised no highway concerns with regard to the increase of vehicle movement within this location, and require a condition to be attached to any planning approval with regard to new access layout.

### **SUMMARY**

The proposed addition will maintain a distance of approximately 1m from the western boundary and some 2m from the similar scheme proposed at No.32 Gosden Road, therefore the proposal is not considered to impact upon the spatial characteristics of the street scene. The proposal is not considered to give rise to unacceptable overlooking of neighbouring amenity nor result in unacceptable loss of amenity by way of the overbearing affect or loss of light.

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

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

- 3 No development of the site shall commence until the vehicular access serving the proposed dwelling has been constructed in accordance with an approved drawing to be submitted to the planning authority.

Reason: In the interests of road safety.

- 4 The window on the west elevation of the building at 1st floor level shall at all times be glazed with obscured glass.

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

- 5 This permission relates to the following approved plans; drawing No. A/6/09; B/6/09 and C/6/09.

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.

- 6 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: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

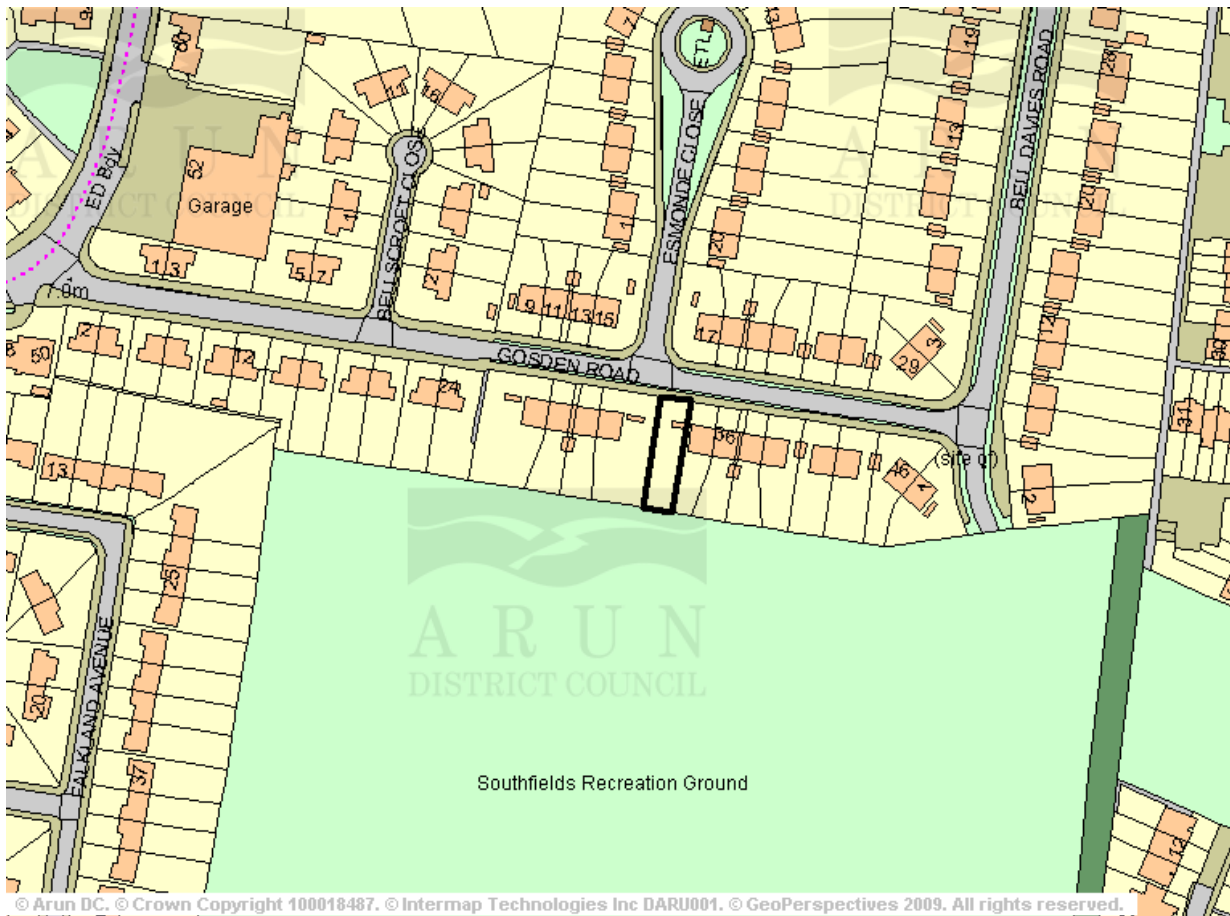
This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

- 7 INFORMATIVE: The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Lane, Drayton, Chichester, PO20 6BW, (Tel no: 01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

**LU/333/09/ 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:** FN/65/09/

**LOCATION:** Arqiva Transmitting Station  
High Salvington Reservoir  
West Hill Findon

**PROPOSAL:** To replace the existing antenna support pole surmounting the tower, install three UHF Panel antennas, one 0.75m VSAT dish antenna and a replacement equipment cabin for the Digital Switchover (DSO)

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to replace the existing support pole attached to the tower, increasing its height by 0.4m, relocation of an existing antenna from 35.8m to 36.2m, addition of 3 panel antennas of a height of 34m and a replacement equipment cabin measuring 2.7m x 2.7m, with a height of 2.8m, coloured holly green, together with a new .75m dish at a height of 5m. The apparatus is required to facilitate the digital switch over of television services broadcast from the site.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	The site is located on a hillside. The site itself is predominantly flat.
TREES	None of any significance affected by the proposed development. Some on eastern boundary.
BOUNDARY TREATMENT	Chain link fence around site.
SITE CHARACTERISTICS	Existing grey 30m high mast with a number of existing dishes of different sizes and heights. Existing single storey building in compound. Site accessed from footpaths/bridleway leading from car park. From bottom on Bost Hill dishes not readily visible merge into trees on hillside.
CHARACTER OF LOCALITY	Open rural on edge of urban area. Site access is along a bridleway which is used by walkers. Linked to the site is a covered reservoir with raised grass banks.

**RELEVANT SITE HISTORY**

FN/68/06/	Installation of 2 no. 0.3m dish antennas on existing telecommunications mast, ventilation ducting to existing equipment cabin, equipment cabinet and ancillary development	Approve Cond 27-10-2006
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FN/7/06/	Three equipment - Relocation of 1 x 600 dish at 20 metres to 20.5 metres and the addition of 5 dishes between 17 metres & 22.5 metres on a new face frame & pole mounts. Vodafone equipment - re-locating 2 existing dishes at 11 & 18 metres to a new arrangement at 21 metres along with the addition of 3 x 300mm dishes. In total it is proposed Vodafone have 7 x 300mm dishes installed at 21 metres.	Approve Cond 15-03-2006
FN/60/04/TEL	Removal of 3 no. O2 tacs panel antennas. Installation of 3 no. three panel antennas & 1 no 0.6m dish at 24m & 22.5m respectively & 1 no. equipment cabinet located at ground level within the existing demise.	Refused 23-09-2004
FN/62/03/	Installation of 2 x 0.6m dishes at 12m on existing tower and a pole mounted antenna at top of existing tower (35 metres) 1 x NTL small equipment cabinet & cable gantry to provide the local area with digital radio.	Approve Cond 19-09-2003
FN/100/02/	Radio base station for the airwave network comprising 15 m high steel slimline monopole, ground level equipment cabin within compound.	Approve Cond 10-02-2003
FN/80/01/	Vodafone - Installation of 6 panel antennas onto existing mast. Orange - Installation of 6 panel antennas onto existing mast 3No ground based cabinets.	Approve Cond 17-12-2001
FN/12/01/	Install 1 x 600mm dish onto existing mast for One2one	Approve Cond 23-03-2001

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Findon 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 Area of Outstanding Natural Beauty  
 Outside Built Up Area Boundary  
 Right of Way  
 Area of Special Control for Adverts

### **DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPT6	Communications Technology
Arun District Local Plan:	GEN7	The Form of New Development
	DEV41	Telecommunications
	AREA9	Area of Outstanding Natural Beauty

### **PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPG8	Telecommunications

### **POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity and the character of the Area of Outstanding Natural Beauty.

In addition, the current Local Plan Policy DEV41, 'Telecommunications' requires evidence that sharing of sites or tall structures has been considered and that there is no satisfactory alternative. Development within SSSIs, Conservation Areas or Areas of Outstanding Natural Beauty is particularly sensitive. Developers are required to demonstrate that attempts have been made to minimise visual impact. Policy GEN7 is a more general environmental policy which requires careful consideration of visual, landscape and amenity considerations.

### **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, nor would it have an adverse impact upon the established character of the surrounding Area of Outstanding Natural Beauty and the proposal utilises an established telecommunications site.

### **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.

In all applications, the Council must take into account other material considerations. This includes Government Advice in PPG8 of 2001, case law and appeal decisions which have emerged over recent years. By Analysis of these considerations, the following are also relevant:

(i) Health concerns are material planning considerations. Whilst Government advice is that a planning system is not the place for determining health safeguards, Court cases and planning



appeals show that public responses on the issue must be weighted in assessing the merits of a site by comparison with alternatives. This must apply to Prior Notification applications as well as applications for planning permission.

(ii) The Planning Inspectorate consider zero health risk (or near zero risk) to be an unreasonable expectation or basis for a decision.

(iii) An ICNIRP Certificate, confirmation compliance with guidelines for the emission of electromagnetic energy, is essential. Sites should be secure by fencing with advisory notes attached.

(iv) Applications must include a thorough examination of alternative sites; this information must be included in the submitted information for public consultation.

(v) Government best practice advice to applicants expects pre-application consultation with organisations such as schools. The Council can look for evidence that this has happened.

## **CONCLUSIONS**

### **PRINCIPLE**

Policy DEV41 has presumption of granting planning permission for telecommunication apparatus subject to possible site sharing of sites or use of existing buildings or structures that there are no satisfactory alternative sites available . In addition sites should not harm local amenity. This proposal utilises an existing structure and complies with this policy.

### **VISUAL AMENITY**

The proposed equipment is of a minor nature and would not be visually obtrusive given the size of the existing mast structure. The equipment would be readily assimilated visually into the mast and other apparatus when viewed from outside the site. The height of the support pole on top of the mast would be increased by .4m and the existing antenna would be relocated to a height of 36.2m. However, these alterations would not be visually apparent given the significant height of the structure and their limited site. Both the pole and highest antenna are 10cm wide. The Cabinet would be screened by existing trees and buildings.

Owing to the statutory publicity period not expiring until 5 February 2010 it is recommended that the decision be delegated to the Head of Planning Services in consultation with the Chairman of the Development Control Committee.

### **SUMMARY**

The application is therefore recommended for approval subject to the 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 In the event of the equipment for which the permission is hereby granted ceasing to be used for the purpose of telecommunications it shall be removed from the site.

Reason: The site lies in an Area of Outstanding Natural Beauty where in accordance with the policies of the development plan development unrelated to the essential needs of telecommunications would not be permitted, in accordance with policy DEV41 of Arun District Local Plan.

- 3 This permission relates to the following approved plans 15087-00-004-01,15087-50-150-M26-26,15087-50-160-M26-2 and 15087-50-100-M26-26.

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.

- 4 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: GEN7,DEV41

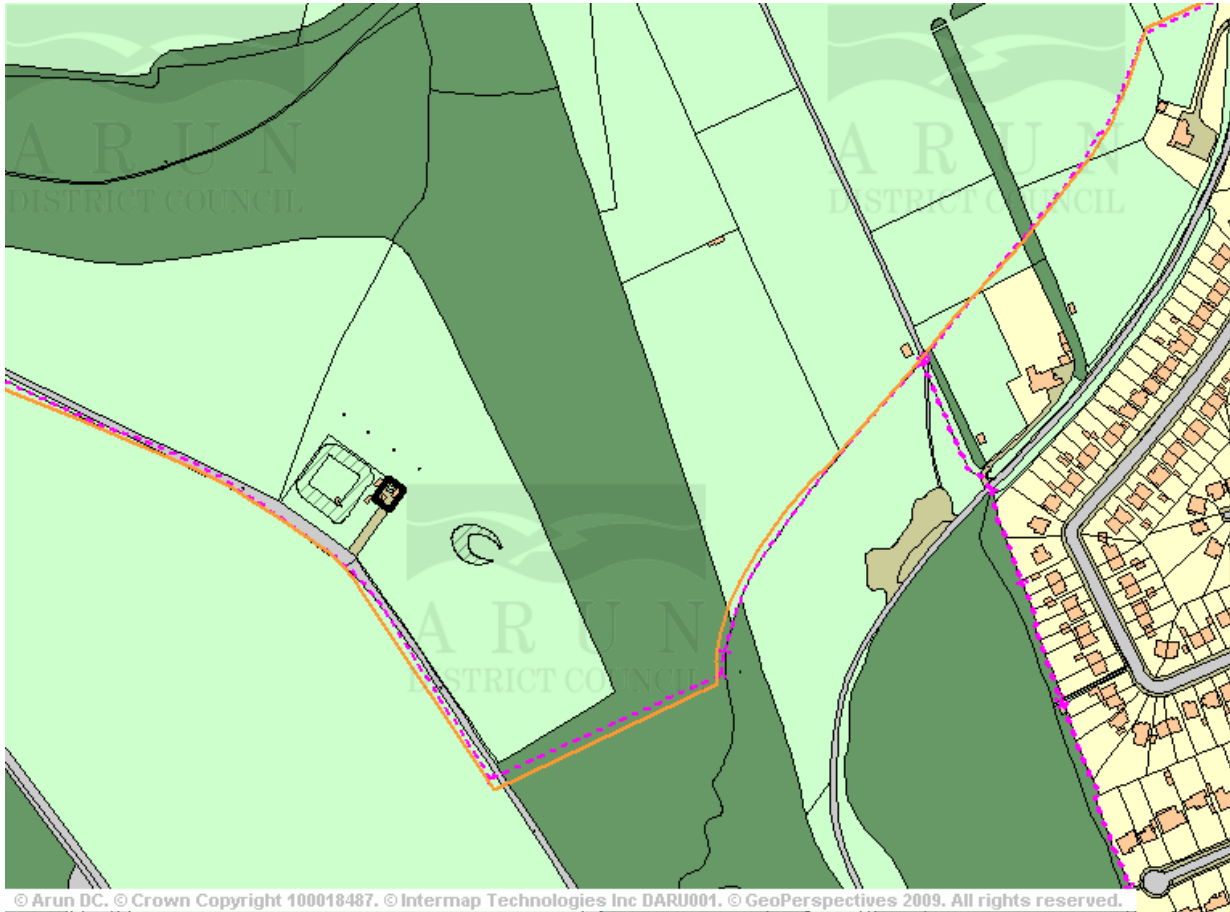
NATIONAL POLICIES: PPS1,PPS7,PPG8

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

**FN/65/09/ 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:** FG/143/09/**LOCATION:** 60 Beehive Lane  
Ferring**PROPOSAL:** Single storey side extension, rear conservatory, rebuild garage and new loft conversion**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal is for a series of extensions to the side and rear of the existing dwelling. An attached garage, replacing an existing detached example and measuring approximately 5.6 metres in length by 4 metres in width and 4.3 metres in height would be added to the east elevation. A two-storey side extension measuring approximately 8.5 metres in length by 2.5 metres in width and 4.8 metres in height would be added to the east elevation. A flat roof dormer would be formed in the western roofslope and this would measure approximately 2.4 metres in width by 2 metres in depth and 1.4 metres in height with the overall height of its rooftop being approximately 4.2 metres. A conservatory measuring approximately 10.5 metres in width by 3.5 metres in depth and 3.55 metres in height is proposed for the rear of the dwelling.
SITE AREA	Approximately 765 square metres.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	The site slopes slightly downwards from north to south.
TREES	Trees mainly to the boundary areas.
BOUNDARY TREATMENT	The front of the site is open. To the rear there are trees and hedging, mainly to the boundary areas.
SITE CHARACTERISTICS	The site is occupied by an L-shaped detached red brick bungalow dwelling which has a tiled, hipped roof. There is a detached flat roof garage to the east side of the dwelling. The dwelling visually extends the full width of the plot.
CHARACTER OF LOCALITY	The site is located on a residential road which is characterised, predominantly, by detached bungalow dwellings, a number of which possess dormer windows. There are also some detached two-storey dwellings. The dwellings are set back from the road with a green and open appearance maintained through a lack of boundary screening to the front and the presence of landscaping.

**RELEVANT SITE HISTORY**

None

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Ferring Parish Council

Awaited.

**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**

South East Plan:

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

**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 proposal is for a series of extensions on a location within the built-up area. Development within the built-up area is allowed in principle under policy GEN2 of the Arun District Local Plan, subject to its compliance with criteria set out in other policies. In this case the other policies the application will be assessed against are policy GEN7 and DEV19 of the Arun District Local Plan which, in general, seek to protect the amenities of neighbouring residents and the character and appearance of the surrounding area.

### VISUAL AMENITIES:

The proposed side extension will result in a change of appearance to the front of the existing dwelling. The west facing dormer will also be visible from a side-on angle. It is considered that the change in appearance would be acceptable, although it is acknowledged that the one and a half storey extension will reach the eastern edge of the site, it is noted that this is a common feature with many nearby dwellings being almost the full width of the site, this includes nearby properties such as No's. 62 & 52 Beehive Lane, therefore spatial characteristics will not be harmed. Further, the presence of roof dormers on the street is a fairly common feature and it is considered that the proposed dormer would be in-keeping with its surroundings.

### RELATIONSHIP TO EXISTING DWELLING:

It is considered that the proposal would relate sympathetically towards the existing building in terms of design and scale. The extensions will all be equal to, or below, the height of the existing building and modest in other proportions, therefore, it is considered that visual subservience will be maintained to it. The proposed two storey extension will mimic the existing roof in eaves and ridge height and therefore an integrated appearance will be produced. The proposed garage will also have a pitched roof with matching eaves to the existing roof, this will also help to create a uniform appearance. The use of a brick plinth wall to base the conservatory will assist its relationship with the existing building.

### RESIDENTIAL AMENITY:

It is considered that the proposal would not result in any detrimental impact on the amenities of neighbouring residents. The height of the existing dwelling would not be increased, although the pitched roof of the side extension would be higher than the existing flat roof garage, it would face a flank wall and roofslope of a similar height and, therefore, it is not considered that it would produce a harmful overshadowing impact, nor appear overbearing. The proposed conservatory, by reason of its modest height and location to the rear of the house would be screened from impact towards neighbouring properties by the existing, adequate boundary treatment. The proposed dormer window would face west towards a flank roofslope whilst all other windows would be at ground floor level and, in most cases, face towards the existing site boundary treatment, the exception being the north facing windows, however, these will look towards the road. It is therefore considered that the proposal would not result in an adverse overlooking impact.

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:-

60bee/lw/site; 60/bee/lw/001; 60/bee/lw/002; 60/bee/lw/003; 60/bee/lw/004; 60/bee/lw/005 and 60/bee/lw/006

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 brick walls of the extensions hereby permitted including the conservatory plinth 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 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:** GEN2, GEN7, DEV19

**NATIONAL POLICIES:** PPS1

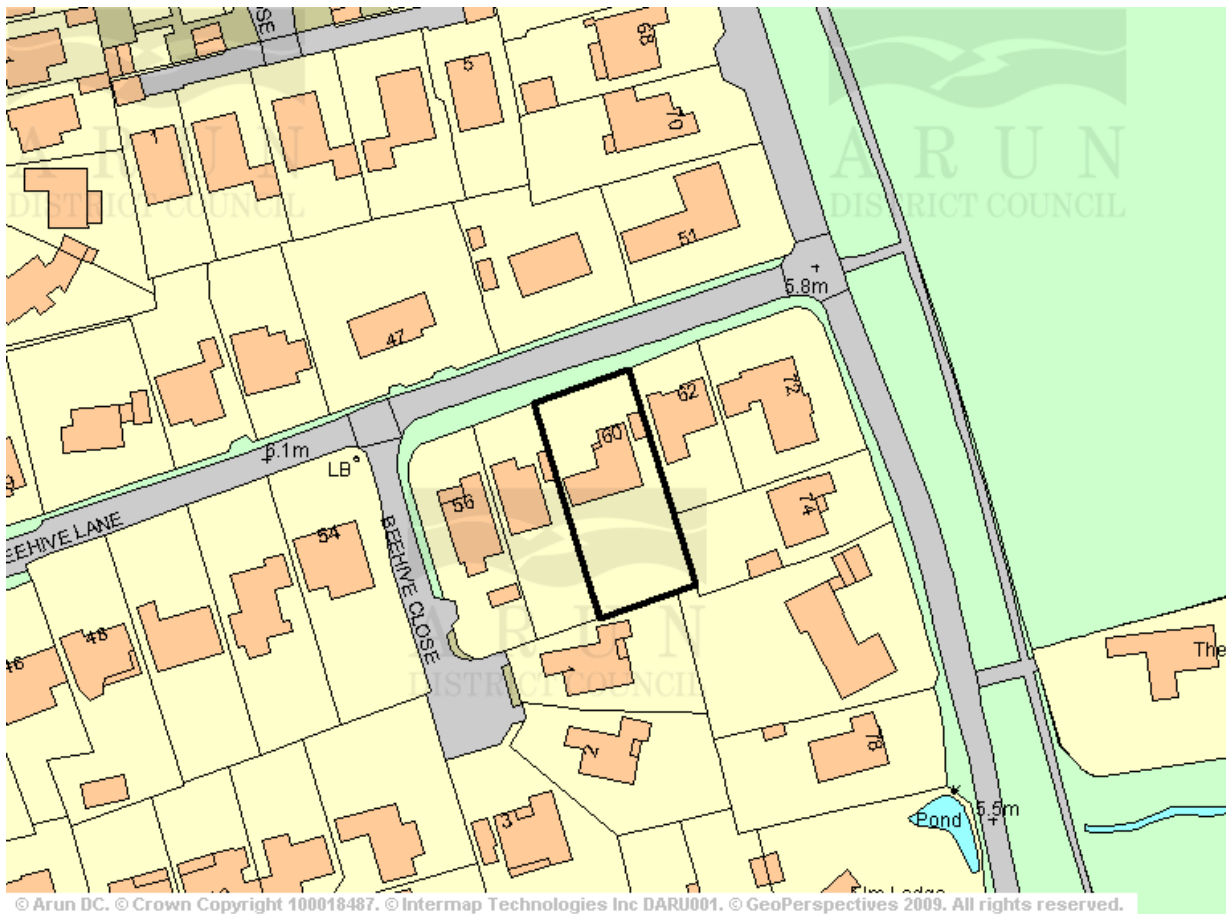
This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

- 5 **INFORMATIVE:** Please note, any change in the design, position or size of the conservatory and/or the position or size of the dormer or windows will require an application for planning permission or non-material amendment.

**FG/143/09/ 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/67/09/**LOCATION:** Land adjacent to the Croft Surgery  
Barnham Road  
Eastergate**PROPOSAL:** Outline application for a new medical centre incorporating pharmacy retail unit (class A1) and other ancillary uses together with access off Barnham Road and associated car parking. (This application is a departure from the development plan)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application is in outline form with access, layout and scale forming part of the proposal. Appearance and landscaping are left to reserved matters stage. The new medical centre building would include a pharmacy (A1) and would be two storeys in height, with a 'C' shaped platform and has a floor area of 632 sq. metres. In the north western section of the building the height is reduced to single storey. The proposal includes foyer, reception and waiting areas, fifteen consulting rooms, two practice nurse rooms, one treatment room, two admin. offices, meeting room, practice and consultant manager's office, staff room, toilets, store room, a pharmacy, fifty four parking spaces and fourteen cycle spaces.
SITE AREA	0.71 hectares.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. Large oak on adjoining land to east.
BOUNDARY TREATMENT	Hedging to doctors surgery and field boundaries. To property boundaries to west approximately 1.8m close boarded fencing. Conifers to rear of site approximately 3 - 4m high.
SITE CHARACTERISTICS	Part of site is used for car parking approximately twenty vehicles. Bulk of site is a gated field. Collins Close dwellings end on to site have no first floor windows, those backing onto site have first floor windows on to site.
CHARACTER OF LOCALITY	Site is rural but lies adjacent to residential development to the south and west. Cherry Tree Drive comprises detached bungalows. Collins Close recently constructed detached two storey dwellings. The existing surgery to the south east is single storey.

## RELEVANT SITE HISTORY

None

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Eastergate Parish Council

Awaited

The Paddocks Management Company:

No objection:

Wish to ensure surgery buildings are not located on the side of the field adjacent to the houses on Collins Close since this is a flood plain. Currently in wet weather these gardens are waterlogged and water has been known to run in a stream along the back gardens into the field.

One letter of representation stating it is noted soakaway drainage is mentioned for storm water drainage and there are high levels of ground water in wet weather. Maintaining privacy and security are a concern.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Southern Water and the Council's Engineers have no objection to the proposal in principle but are suggesting the imposition of relevant conditions to ensure adequate surface water disposal and soakaway.

## CONSULTATIONS

WSSC Local Development Divis.

Environment Agency

Parks and Landscapes

Environmental Health

Engineering Services Manager

Southern Water Planning

Horticulturist

### CONSULTATION RESPONSES RECEIVED:

Environmental Health:

No objections. Details of proposed external lighting will be required.

Environment Agency:

No objection in principle - advisory information attached.

County Highways.

No objection:

It is noted this proposal replaces an existing doctors surgery and this is a replacement, therefore in principle this proposal is acceptable. The additional number of vehicle movements from the proposed surgery is not expected to have any material impact. The proposed site has an existing vehicular access that presently services a fifteen space staff car parking area. The existing area is to be upgraded to a bellmouth with kerb radii and visibility splays in accordance with the advice in manual for streets.

In regard to parking, it is understood that parking problems have resulted from use of existing surgery at peak times and this was driving force behind the additional fifteen staff spaces. An over provision of car parking may be appropriate given the aforementioned issues.

The northern car park is for staff. There is an opportunity to encourage less car dependency for those staff that are essential users and thus increase car parking capacity for patients. A Travel Plan is requested.

A Stage One Safety Audit would typically be required, but taking into account the adjacent use and presence of the existing access which is to be reconfigured, the scheme is unlikely to introduce any significant highway safety issues. It is requested that detailed design highway works are the subject of a Stage 2 Safety Audit which is made the subject of an informative.

Southern Water:

Southern Water can provide foul sewage disposal to service the proposed development. A condition relating to connection is suggested.

County Archaeologist:

No objection in principle. Conditions suggested.

Council's Engineers:

In addition to Environment Agency Consultation advice regarding the application the groundwater is known to rise a very shallow depth below the existing ground during the wetter winter months. Applicant must provide 12 months of groundwater monitoring data, along with the soakaway design calculations for checking. Development should not proceed until the soakaway design has been submitted and approved in writing to the Local Planning Authority.

Council's Arboriculturist:

There are no trees on the frontage. From GIS aerial survey it is noted there are a number of trees on the site. An arboricultural assessment should be submitted.

#### **COMMENTS ON CONSULTATION RESPONSES:**

There are no trees on the site worthy of retention. Landscaping would be considered at reserved matters stage.

### **POLICY CONTEXT**

Designation applicable to site:

Outside Built-Up Boundary

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPS2	Promoting Sustainable Health Services
Arun District Local Plan:	GEN1	Sustainability
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development
	GEN15	Cycling and Walking
	GEN18	Crime Prevention
	AREA17	Sites of Archaeological Interest

#### **PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPS9	Biodiversity & Geological Conservation
PPG13	Transport

**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 compromise development unrelated to the needs of agriculture outside the built up area boundary. However 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 other material considerations relating to the need for the proposal which warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS****POLICY CONSIDERATIONS:**

The site lies outside the built up area boundary where development unrelated to the needs of agriculture, forestry, extraction of minerals or deposit of waste, or for quiet informal recreation, or diversification of the rural economy and is not permitted and the proposal is therefore contrary to policy.

The proposal is a departure from the development plan and has been advertised as such. However since the floor area of the development does not exceed 5000 square metres it does not require consultation with the Secretary of State before granting planning permission.

However, the applicant's agent has detailed the need for the proposal and the justification and community benefits that would arise is considered sufficient to warrant approval of the application as an exception to policy.

**NEED FOR THE PROPOSAL:**

The agents have advised that existing doctors surgery 'The Croft Practice' cares for a mainly rural population covering an area of approximately 30 square miles surrounding the Five Villages. The Croft practice provides medical services from surgeries in Eastergate, Yapton and Walberton. The Eastergate surgery was built in 1992, to the maximum specification of the then NHS. Red Book guidelines to serve a total practice list of a little over 6,500.

The surgery has 7 G.P.s and also employs ancillary staff including four practice nurses, two HCAs and twenty seven administrative, reception and dispensing staff. Attached staff, e.g. community nurses, health visitors, midwives and specialism nurses also visit the surgery regularly.

The current patient list size is 10,526. A significant contributing factor to the increase in list size was the closure of Barnham Medical Centre in 2003. In addition there has been an increase in housing provision in the area and 'in house' services have expanded.

On average 205 appointments per day are offered and it is estimated that approximately 270 patients attend these appointments. Patients also collect their repeat medication and prescriptions from the surgery. It is estimated an additional 120 - 150 patients may visit the surgery each day.

The existing surgery building is severely cramped, with a floor area of 300 sq.m., well below the recommended requirements for modern GP surgeries, and this severely impacts on service delivery for patients as the building is now fully occupied to overflowing. As a short term solution a temporary portacabin (ref EG/40/02 and EG/19/05) sited at the rear of the building, has been utilised by administrative staff since 2004 but there is a continuing acute shortage of space within the building, which cannot be extended further due to its site constraints. The surgery does not currently comply with the Disability Discrimination Act.

Lack of car parking has also been a serious issue in the past with concerns having been expressed by the Police and fixed penalty notices have been issued to vehicles parked on the verges and pavements. A recent application (EG/158/07) approved use of the land to the west of the surgery as a staff car park.

The partners of the Croft Surgery have taken the opportunity to purchase the land of the application site to construct a purpose built surgery of sufficient size and structure in order to address the issues associated with the existing premises, to improve services to patients and to meet current and future needs of the NHS.

The West Sussex Primary Care Trust (PCT) are aware of this proposal in principle and it is anticipated that the Croft Surgery will be ranked on the priority list of practices to be taken forward with assistance from the development fund. The fact that the practice own the site is an important contributory factor for the PCT as it adds certainty.

It is also important to keep the existing doctors surgery in use whilst developing the new medical centre, so a new alternative site is necessary.

The chosen site, adjacent to the existing is preferable to The Practice since patients are familiar with the location of the existing and the position of the existing surgery has provided particularly suitable for serving the area where the practices patients are.

The practice has historically been innovative and is keen to remain at the forefront of practice development for the benefit of its patients. This necessarily includes expansion. The practice is also keen to enhance the specialist services already offered.

The practice requires a surgery of 1,210 sq. metres which will accommodate ten G.P.s and will be capable of serving a patient list of size of up to 15,000 to accommodate an expanding population in the area. A new surgery will facilitate the provision of increased clinics and services.

The proposals have been developed in direct consultation with the medical practice to be accommodated, together with potential pharmacy providers. The floor space to be provided represents the area required to enable successful delivery of the intended services outlined above together with recognising the need for flexibility and future proofing of the building.

**CHARACTER OF THE AREA AND VISUAL AMENITY:**

Although the site lies outside the built up area it is adjacent to residential development. The properties in Collins Close, to the west, are two storey and the proposed scale of the surgery would be in keeping with these and it would not therefore appear as an overly dominant feature in the area. The building would be centrally located within the site, providing space to the site boundaries reflecting the spaciousness of adjoining development.

The indicative plans show a 2 storey building the bulk of which is broken up by the use of different elevational treatments including ground to first floor glazing, timber cladding, render and varied roof design. Whilst the external appearance does not form part of the proposal the drawings do indicate that a 2 storey building of the size proposed could be satisfactorily accommodated on the site without adversely affecting the visual amenities of the locality. An informative is recommended advising that the submission of reserved matters involving external appearance should reflect the indicative plans shown.

#### RESIDENTIAL AMENITY:

The site has some boundary screening at present, but this would be considered by the submission of landscaping details at a later stage. However the layout forms part of this proposal and the building would be sited 22m from the rear boundaries of properties in Collins Close and 24m from the boundary with Cherry Tree Drive. These distances are acceptable to prevent any materially adverse effects resulting to adjoining residential properties from either overlooking or overbearing effects.

Car parking would be 4m from the side boundary of 11 Collins Close at its closest point. Landscaping in this area would be important and it is considered the depth of the buffer zone would be adequate to reduce any adverse noise arising from vehicle movements to an acceptable level. The distance to properties in Cherry Tree Drive is greater at 6m.

The hours of opening referred to in the application forms preclude Sundays and bank holidays and the pharmacy would operate between 9 a.m. and 4 p.m. on a Saturday, 9 a.m. - 6 p.m. Monday - Friday and the surgery would be open between 7 a.m. - 8 p.m. Monday to Friday and 8.30 a.m. to 12 noon on Saturdays. These hours would reduce activity and noise generated from the site at evenings and weekends when residents would expect to be able to enjoy peace and quiet. It is proposed to restrict these hours by condition, accordingly.

#### DRAINAGE:

In principle the development is considerable acceptable and to comply with Policy GEN9. Conditions are suggested to ensure adequate provision is made.

#### HIGHWAY MATTERS:

The proposal provides 54 car parking spaces 2 motorbike spaces and 14 bicycle spaces these levels are acceptable to County Highways in terms of highway safety, taking into account the previously recognised problems and earlier approval (EG/58/07) for additional parking provision.

#### CONCLUSIONS:

The provision of an enlarged medical centre will provide an important social benefit to the local community. This is a material consideration which accords sufficient weight to offset the fundamental policy objection.

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

<b>RECOMMENDATION</b>
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## APPROVE CONDITIONALLY

1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Appearance;
- (b) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The building shall not be occupied until the parking spaces and turning facilities 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 and turning 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.

4 The access from the site to the public highway shall be designed, laid out and constructed with/kerb radii/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.

5 The use hereby approved shall not be commenced until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport amongst staff and visitors to the nursery in accordance with PPG13.

6 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 and must be monitored in accordance with policy AREA 17 of Arun District Local Plan and PPG16 Archaeology & Planning.

Details of any external lighting/floodlighting shall be submitted to and approved in writing by the Local Planning Authority (before the use hereby permitted commences). Development shall be carried out in accordance with the approved details.

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

- 8 Development shall not commence until drainage works have been carried out in accordance with details to be submitted to and approved by the Local Planning Authority. Infiltration rates for soakaways and SUDS systems are to be based on tests undertaken over the wetter winter period. The design should be based on BRE 365, and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the highest recorded groundwater table. It must also have provision to ensure that there is capacity in the system to contain below the lowest ground level the 1 in 100 year event plus 20% on stored volumes.

Any Sustainable Urban Drainage Scheme (SUDS) or soakaway design must include 12 months of groundwater monitoring data to determine the typically highest annual groundwater table in support of the design.

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

- 9 The use shall not be operated on Sundays or Public Holidays .The surgery shall only be open between the hours of 7am and 8pm daily on Mondays to Fridays and 8.30am and 12 noon on Saturdays and the pharmacy shall only open between 9am and 4pm on Saturdays and 9am and 6pm daily Monday to Friday inclusive.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Arun District Local Plan policy GEN7.

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

#### SUMMARY

This planning permission was granted because, although the proposed development does not comply with the policies in the Development Plan Listed below in that the site lies outside the built-up area boundary and the development is unrelated to the needs of agriculture there are material considerations which indicate that it can be granted. These material considerations are the community benefits and overriding need for the development.

#### RELEVANT POLICIES

SOUTH EAST PLAN S2

LOCAL PLAN: GEN2, GEN3, GEN7,GEN9,GEN12,GEN15,GEN18,AREA17

NATIONAL POLICIES: PPS1,PPS7,PPG13,PPG16

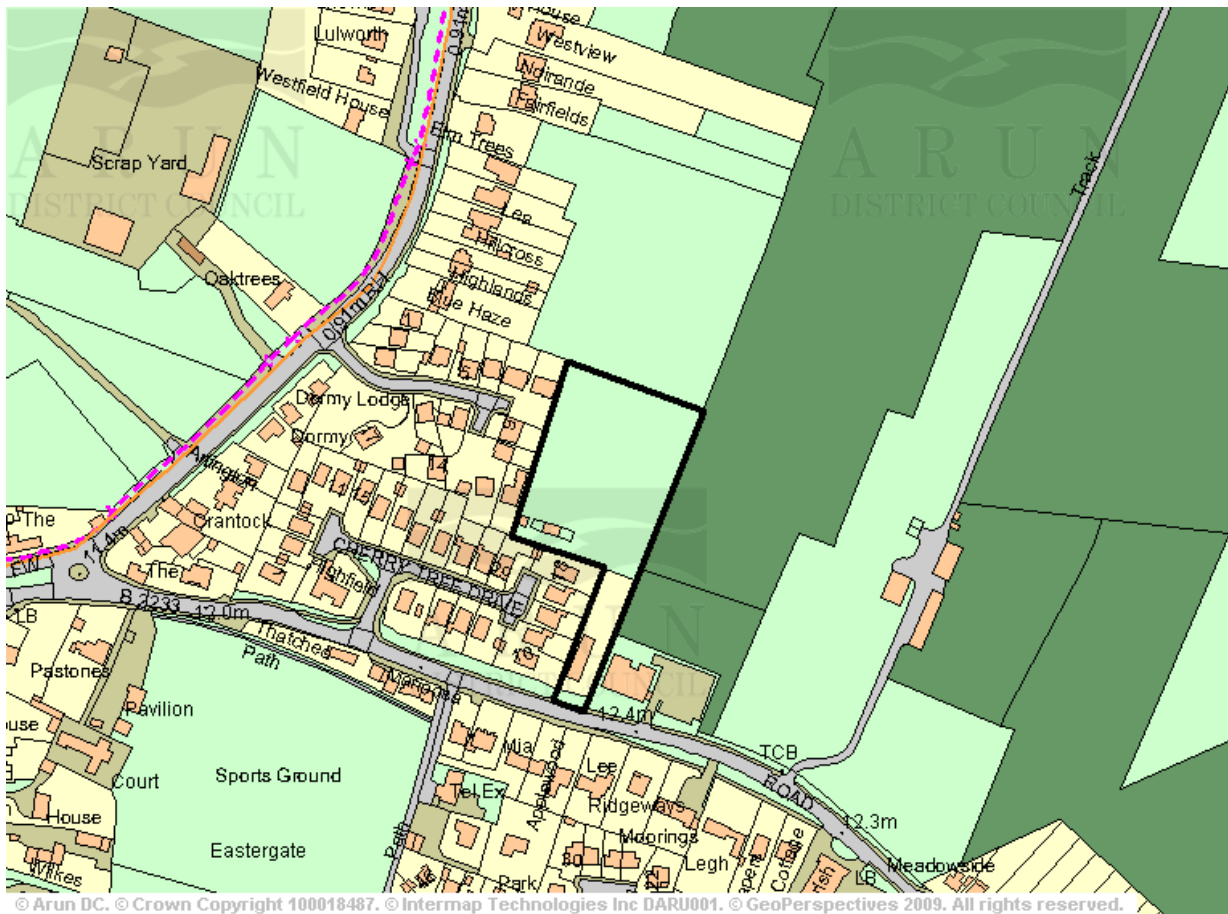
This paragraph is to comply with Article 22 General Development Procedure Order 1995

- 11 INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader, West Sussex County



Council, County Hall , Chichester, West Sussex, PO19 1RQ (Tel 01243 642105). The applicant should ensure that a Stage 2 Safety Audit accompanies any formal agreement submission.

- 12      **INFORMATIVE:** The Environment Agency recommend that infiltration rates for soakaways should be based on permeability tests undertaken over the winter period and not those done during the drier months. The design needs to be based upon BRE365 and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway and the highest recorded watertable. It must also have provision to ensure there is capacity in the system to contain below lowest ground level 1 in 100 year event plus 20% on stored volumes. Therefore the local geological and hydrological characteristics of the site will dictate whether soakaways will be applicable and an investigation would be required.
  
- 13      **INFORMATIVE:** In any submission of reserved matters involving external appearance, the proposed development should incorporate the use of different elevational treatments including ground to first floor glazing, timber cladding, render and varied roof design shown on the indicative plans here. A high standard of design is required in any future reserved matter submission to break up the mass and scale of any building.

**EG/67/09/ 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:** BR/276/09/**LOCATION:** 17 Church Lane  
Bognor Regis**PROPOSAL:** Conversion of garage to annexe to accommodate a young person leaving care (supported lodgings).**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is for a change of use of a garage into two storey accommodation to provide Supported Lodgings for a young person (16+) leaving care to introduce them to independent living.
SITE AREA	0.0484 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Brick wall to front, fencing side and rear. Rear access onto The Paddocks.
SITE CHARACTERISTICS	Chalet rendered cream, tiled roof. Long drive at front adequate for parking. Shed in rear. To rear of property is an annex, formerly a garage. Annex is part render and part timber clad at 1st floor. Entrance door at side facing the garden area. Has been converted with windows, fitted kitchen and bathroom and fully furnished.
CHARACTER OF LOCALITY	Residential use of semi-detached houses and chalets. At the rear there is no overlooking and the side of the dwelling faces this annex and has no windows.

**RELEVANT SITE HISTORY**

BR/311/08/	New roof lights to pitched roof.	Approve Cond 03-12-2008
BR/207/98/	Front extension and detached rear garage	Approve Cond 10-12-1998

The history shows an enquiry in 2001 regarding the change of use from a garage to a granny annex.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

The committee felt that there was insufficient information to pass judgement on this application.

9 letters of objection: Young people leaving care could bring many problems to our road. This is a residential area and money will be earned therefore it is a business venture. At the moment it is one person, this could increase. The garage has evolved into living accommodation over the years. It is an annexe which will create noise and disturbance. It will be un-neighbourly if not supervised properly. The garage was converted to residential above with a workshop below, the workshop is now in the back garden shed. A vulnerable person should not be located in a property which backs onto a dark alleyway. Will lead to more traffic congestion.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The plans show the external changes to fenestration which have already been implemented. The proposal is for a change of use only. The proposal remains an annexe to the main dwelling. The fostering of children for planning purposes is a residential use, because the annexe is to provide accommodation for a young person. The point of the application is to provide independent living to a young person to introduce them to living in society. If there are any concerns regarding safety these should be referred to Social Services. There is sufficient car parking on site.

## CONSULTATIONS

WSCC Local Development Divis.

Environmental Health

### CONSULTATION RESPONSES RECEIVED:

County Highways:

The proposal is not anticipated to generate an intensification in vehicle movements, therefore no objection.

District Environmental Health:

No comment as no details given of sleeping arrangements. Should this property become an HMO a site visit may be undertaken when occupied.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The conversion to an annex took place in 2001. The bedroom and bathroom are upstairs.

## POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

PDR - no windows on side windows within the roof

Right of way

### DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:

GEN7

The Form of New Development

### PLANNING POLICY GUIDANCE

**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 within the built up area boundary where development is acceptable in principle subject to normal development control criteria such as residential amenity. This application is to provide supported lodgings for a young person for up to one year per annum. The proposed residents are 16+ and formerly in a care facility and the young person needs support to learn to live independently. The applicant will be providing limited care and support to the resident(s).

**FAMILY PLACEMENT COUNTY COUNCIL SUPPORT:**

West Sussex County Council have written a letter of support which was submitted with the application. They state that the applicant is an experienced foster carer and the annex would be satisfactory to accommodate, support and guide a young person into independence with the applicant's help.

**RESIDENTIAL AMENITY:**

The garage was converted to an annexe in 2001/2002 for a parent. It consists of a living room, kitchen and dining area at ground floor and a bedroom and bathroom above. The external alterations which have already taken place provide windows on the rear elevation at ground floor and on the south elevation at ground floor level and roof lights above. The garage door has been replaced by French doors. None of these windows overlook any residential properties and therefore there is no significant loss of residential amenity. It is not considered that noise and disturbance arising from the use will be significant or greater than the use of the building as an annexe. The annexe could be used as family accommodation in connection with the house without need for planning permission.

**VISUAL AMENITY:**

The annexe is to the rear of the site and is not highly visible within the street scene. The changes to provide the fenestration have also been instituted and are considered to be visually acceptable.

**SUMMARY:**

It is considered that the use of the former garage/annexe to accommodate a young person under supervision with a view to independent living will not result in any significant loss of residential amenity. 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 This permission relates to the following approved plans Drawing 17/CR/01 dated Oct 98 as amended by hand.

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 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**

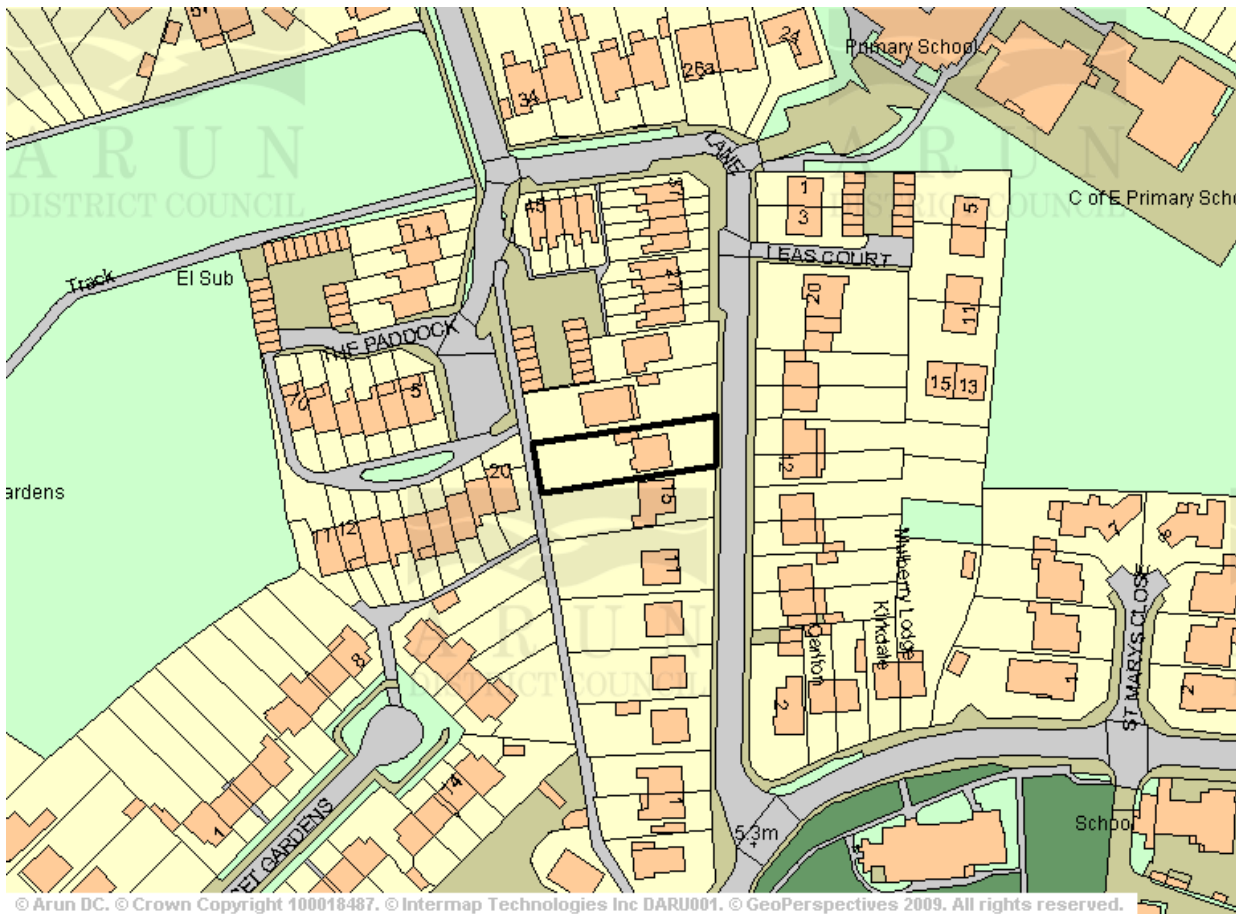
**LOCAL PLAN: GEN7**

**NATIONAL POLICIES: PPS1**

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

**BR/276/09/ 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:** BE/119/09/**LOCATION:** 1 Stroud Green Drive  
Bersted  
Bognor Regis**PROPOSAL:** Proposed two storey extension (re-submission following BE/79/09)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As Above. Two storey side extension measuring approximately 2.8m in width, 7.4m in depth and 7.1m in height. Single storey rear extension measuring approximately 5.1m in width, 3m in depth, and 2.85m in height.
SITE AREA	Approximately 217 square metres
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to front. Close boarded fencing approximately 1.8m high, and masonry wall approximately 1.8m high, supplemented by trellising on Chalcraft Lane.
SITE CHARACTERISTICS	The site is a two storey end of terrace dwelling, with brick faced and white cladded elevations. The roof is pitched with concrete tiles, and there is an existing porch to front.
CHARACTER OF LOCALITY	The site is located in a residential cul-de-sac, with predominantly properties of a similar style.

**RELEVANT SITE HISTORY**

BE/79/09/	Proposed Double storey side extension	Refused 26-10-2009
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**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Bersted Parish Council

Objection: The proposed extension, by reason of its scale, mass and the proximity of this elevation to the public highway, would represent an obtrusive feature in the street scene, detrimental to the visual amenities of the locality and contrary to policies GEN7 and DEV10



of the Arun District Local Plan.

Two letters of Objection from the same address, raising the following main points:

- The front of the building, because it is in line with the terrace, will only give one space. The applicant has 4 vehicles parked outside and at weekends 2 transit vans are parked on the highway verge, a camouflaged van adjacent to the side of the house and a saloon car which overhangs the footway. This is accessed by a pedestrian dropped kerb which is not a constructed vehicular access.
- With 4 bedrooms there is potential for a lot more parking required.
- It should be noted that the applicant has failed to display the necessary planning notice on site and it was only through the diligence of local residents, who are concerned about this development, that word has spread to make others aware.
- The vehicles of the occupiers of no.1 already create difficulty entering and exiting Stroud Green Drive. Those parked on the grass verge block the view of motorists entering Chalcraft Lane. Any extension to this property would add to the congestion of parked vehicles.
- The increased roof area will require additional surface water drainage by means of soakaways, but the impermeable clay layer which is a few feet of the surface does not make this a sustainable option.
- The extension will detract from the acknowledged open plan concept of the estate, especially at the entrance to the estate.
- It could set a precedent and other proposals would cause over-development in an already dense area.
- The building would be very near public land and look odd with other houses in the road.
- It would reduce garden area.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

Bersted Parish Council: It is considered that the application has overcome its original reason for refusal: the extension has been reduced and more fenestrational detail has been added to the side elevation facing Chalcraft Lane. Please refer to the 'Conclusions' section of the Officer's report for more detailed comments regarding the design and visual impact on the proposed development.

Other Representations: An Orange Notice was displayed on fencing to the front of the property when the Officer conducted their site visit on 4th January. Whilst the difficulties in parking can be empathised with, from a planning perspective, there is no reason to presume that a domestic extension will generate additional parking. Please refer to the 'Conclusions' section of the Officer's report for comments regarding the design and visual impact on the proposed development.

## **CONSULTATIONS**

#### **CONSULTATION RESPONSES RECEIVED:**

None

#### **COMMENTS ON CONSULTATION RESPONSES:**

None

## **POLICY CONTEXT**

Designation applicable to site:  
Within the Built Up Area

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	

DEV19                      The Form of New Development  
                                    Extensions to existing residential buildings

**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****Background**

This application seeks to construct a two storey extension to the side of 1 Stroud Green Drive, and is a re-submission following the refusal of a previous application, BE/79/09.

The original application was refused on the grounds that by reason of its scale, mass and lack of fenestrational detail on its side elevation, and its proximity to the public highway, would represent an obtrusive feature in the street scene.

**Design and Visual Amenity**

The width of the extension has since been reduced by approximately 1m, so that it no longer abuts the highway. The expanse of brickwork present on the side elevation of the original application has been interrupted through the use of two cladded sections and additional windows, the design of which is considered to be in keeping with the locality.

Furthermore, the rearward section of the extension has been reduced to single storey height, further reducing the impact of the proposed development on the street scene. The previous application also included a single storey extension to the front of the dwelling, this has been omitted from the current application.

The two storey section is to have a pitched roof, flush with that of the existing dwelling, whilst the single storey element is to have a flat roof. All tiles and brick work are to match the existing dwelling.

## Residential Amenity

The additional windows on the side elevation of the proposed extension would face the highway on Chalcraft Lane, and as such are not considered to give rise to overlooking.

The two storey element of the extension would not project beyond the rear wall of the dwelling house, and the single storey rear section would be located approximately 3m from the boundary with the adjoining property, no. 3 Stroud Green Drive. As such it is not considered that the proposed extension would have a significant impact on the residential amenities of the occupiers of the neighbouring dwellings by means of being overbearing.

## Conclusions

It is considered that the proposed development, through its reduced size and improved design, has overcome the original reason for refusal. It is no longer deemed to have a significant impact on the visual amenities of the locality, and as such it is 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 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.

- 3 This permission relates to the following approved plans; drawing no's , 09/102/01, 09/102/10, 09/102/15 and 09/102/11, received 17th December 2009.

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.

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

#### SUMMARY

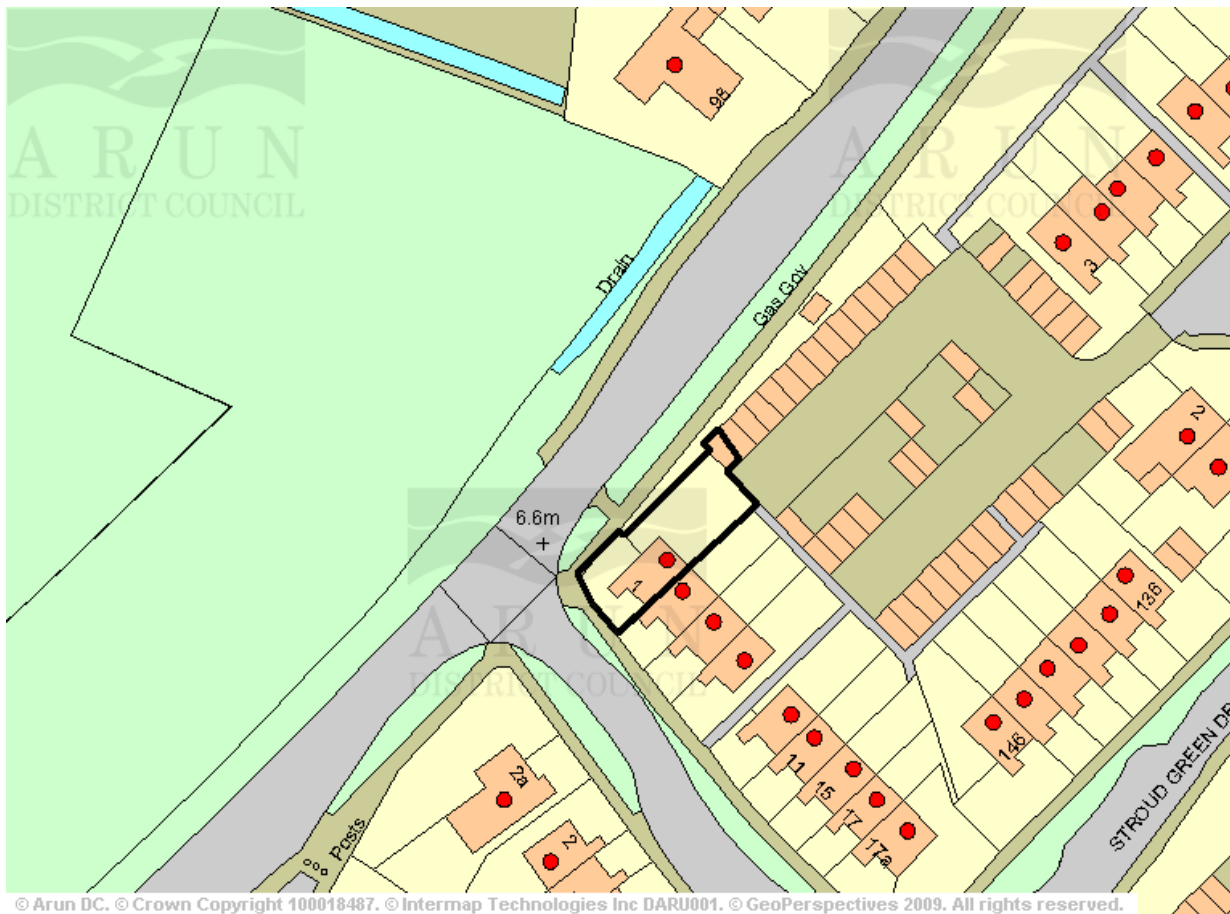
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

#### RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

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

**BE/119/09/ 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/211/09/**LOCATION:** land adj to  
16 Wychwood Close  
Aldwick**PROPOSAL:** Construction of a 4 bed detached house with integral garage.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The property is proposed to measure 8m high, x 5m wide, 6m deep and to be located on existing side garden of 16 Wychwood Close.
SITE AREA	0.029 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	34 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	The only tree which is worthy of retention on the site is a Turkey Oak (Quercus Cerrus)at the rear of the proposed property.
BOUNDARY TREATMENT	Wooden fence approximately 1.6m high to number 14 and dwarf stone wall to site frontage.
SITE CHARACTERISTICS	Side garden to 16 Wychwood Close which is a two storey semi detached property with white painted elevations and a plain tile roof. A single storey flat roofed brick building in rear garden corner.
CHARACTER OF LOCALITY	A residential area characterised by a mixture of detached and semi detached two storey dwellings. The The application site is one of a minority of properties in the road enjoying a wide side garden. The design of properties varies with some Mock Tudor rendered elevations.

**RELEVANT SITE HISTORY**

AW/122/09/DOC	Application for discharge of conditions 2 and 3 in relation to AW/112/05.	File Closed 13-08-2009
AW/112/05/	Proposed 4 bedroomed house with integral garage. (Resubmission following planning application AW/265/04/)	Approve Cond 06-07-2005
AW/265/04/	Proposed 4 bedroomed house with integral garage.	Refused 19-01-2005

AW/196/00/	Application for approval of reserved matters following Outline Application AW/131/97 for a 3 bedroom detached house.	Approve Cond 04-12-2000
AW/131/97	Outline Application for 3 bedroom house with integral garage	Approve Cond 30-09-1997

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Objection. The proposed development is overbearing to its surroundings and the plot size is insufficient for the substantial development. Safety concerns about the design and position of the chimney and its close proximity to a neighbouring property with a thatched roof.

6 letters of neighbour objection

The area now has Conservation Area status and the proposed property fails to preserve or enhance the Conservation area. Previous inappropriate development cannot now be used as precedent.

It is oversized, overbearing on neighbours and of a poor design all in conflict with local plan policy. The inappropriate dormer will allow for additional accommodation.

The site has numerous trees and a tree survey is required to determine which trees need protection. There may be wildlife worthy of protection.

The additional cars to be generated by the proposal will increase traffic congestion in an area of narrow roads.

### COMMENTS ON REPRESENTATIONS RECEIVED:

The same proposal (AW/112/05) was granted consent in July 2005 when the area was designated an Area of Special Character and the proposal was then considered to "make a positive contribution to the special character of the area"(Policy AREA1 of the Arun District Local Plan). The new Conservation Area status requires that development "preserve or enhance the character of the area" (Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990); a definition not dissimilar to the previous designation as an Area of Special Character.

The previous consent can still be implemented and is therefore a significant material consideration this time round. The size and siting of the proposed dwelling is comparable to others in the immediate vicinity. Issues surrounding the safety of the building are covered by building regulations legislation. The Council's Arboriculturist has identified one tree worthy of retention. County highways have determined that there sufficient on site car parking for the proposed development and that the increase in vehicles will not have a prejudicial impact on highway safety.

## CONSULTATIONS

WSCC Local Development Divis.  
Conservation Area Advisory Com  
Horticulturist

### CONSULTATION RESPONSES RECEIVED:

County Highways

Advice. The proposal will access Wychwood Close via a new access, this is a private road not maintained by WSCC. I would advise that the access must not exceed 4.5metres in width. It

would be beneficial if the driveway area and car parking spaces are constructed in a bound material and that suitable drainage methods are installed to prevent private surface running onto the public highway.

The proposed crossover to access the driveway will require visibility splays of 2m for pedestrians, not shown on the proposed plans; this will require any proposed planting to be no higher than 0.6m above the ground level and any existing foliage to be maintained in order to safeguard the visibility splay.

It would be beneficial for details of the car parking to be confirmed to demonstrate that satisfactory car parking arrangements can be provided. On the basis that three spaces are proposed, the parking provision is within the WSCC Parking Standards, and no highway safety concerns would arise through this provision.

Cycle parking should be included however; this must be secure, covered and be capable of storing at least one cycle per bedroom of the proposed dwelling. The actual details of the cycle parking facilities should be submitted to and approved by the Local Planning Authority (LPA). To accommodate cycle parking any cycle store should have minimum dimensions of 6m x 3m.

In terms of vehicular movements, the proposed dwelling is unlikely to result in any material increase or any detrimental impact. Providing the proposed car parking does not exceed the WSCC Maximum Standards, no highway concerns would be raised.

#### Arboricultural Officer

The only tree which is worthy of retention on the site is a Turkey Oak (*Quercus Cerrus*) at the rear of the proposed property, and this should be afforded protection under the BS 5837 Guide for Trees in relation to construction.

#### Conservation Area Advisory Committee

Objection. Unduly large building for size of the plot. The design is not complimentary to neighbouring properties.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

### **POLICY CONTEXT**

Designation applicable to site:  
Within Built Up Area Boundary  
Conservation Area  
Tree Preservation Area

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPH5	Housing Design and Density
Arun District Local Plan:	AREA2 GEN7	Conservation Areas The Form of New Development

#### **PLANNING POLICY GUIDANCE**

PPG13	Transport
PPG15	Planning and the Historic Environment
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.

Where the building is located in a Conservation Area, 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 this criteria in that it is not considered to materially affect 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

This is an identical application as that reference AW/112/05 granted permission in 2005 (this approval has not been implemented and is due to expire on the 6th July 2010). The site also enjoys previous approvals in 1997 and 2000 for a detached 2 storey house which were of a similar size. A clear principle for residential development has therefore been set on this site. It needs to be noted that the area is now a Conservation Area where development needs to preserve or enhance the character of the area as compared to its previous Area of Special Character designation where development was required to make a positive contribution akin to the standard applied to Conservation Areas.

### Impact on the Character and Appearance of the Conservation Area

The site is located within the Craigweil House Conservation Area. The Conservation Area Statement points to the generally low density character in the area with space between buildings being important to that character. However, it also states that house sizes vary to comply with the estates original specification which required that some areas be built up with smaller residences within smaller plots to provide more affordable units. The statement highlights that this explains the slightly higher density of Wychwood Close.

The application site enjoys the largest side garden in Wychwood Close and its development with a dwelling will not be seen as an alien feature but rather make it more in keeping with the existing character of the area which has a slightly higher density than other areas in the Conservation Area. It will result in a detached dwelling which will have similar space around it as is found elsewhere for detached dwellings in Wychwood Close/Walk.

#### Residential Amenity

Acceptable amenity levels will be secured for the occupiers of 14 and 16 Wychwood Close by the fact that there are no windows other than an obscure bathroom/toilet window, proposed at second floor level. In addition the front building line will be in keeping with its neighbours and whilst the rear of the proposed property will extend beyond the rear of 14 Wychwood Close a side garage on the boundary of no. 14 will ensure that there is no unacceptable impact on its privacy/daylight levels.

#### Highway Considerations

There is presently an existing access that currently serves this part of the application site. Off street car parking is to be provided via an integral garage where a condition is proposed to ensure that it remains in perpetuity for garaging purposes only. The additional dwelling is not therefore expected to have a detrimental impact on highway safety/conditions.

#### Conclusion

The proposed dwelling is considered to reflect other buildings in the vicinity, it is not unacceptably large in relation to the plot size and as a result would serve to preserve the character of the conservation area. It is designed so as to avoid there being an unacceptable impact on neighbouring residential amenity and will utilise an existing vehicular access with the provision of off street car parking.

The application is therefore recommended for approval subject to the conditions set out overleaf.

### **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 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building 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/extension.

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 Craigweil Estate Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 and AREA2 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 No windows, other than those shown on the plans hereby approved, shall be constructed in the east and west elevations of the extension hereby permitted which adjoins the side boundaries with 16 and 14 Wychwood Close 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 of the Arun District Local Plan.

- 5 The windows on the east and west elevations of the building shall at all times be glazed with obscured glass with a top opening fanlight only.

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

- 6 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (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.

- 7 The dwelling hereby permitted shall not be occupied until provision for car parking has been made within the site in accordance with the integral ground floor garage shown in the approved plans and such provision shall thereafter be used only for the parking of cars.

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.

- 8 This permission relates to the following approved plans; Plan CC1, Plan CC2, Plan CC3, Plan CC4 all received 3-11-09.

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.

- 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

SOUTH-EAST PLAN: H5, C4

LOCAL PLAN: GEN7, AREA2

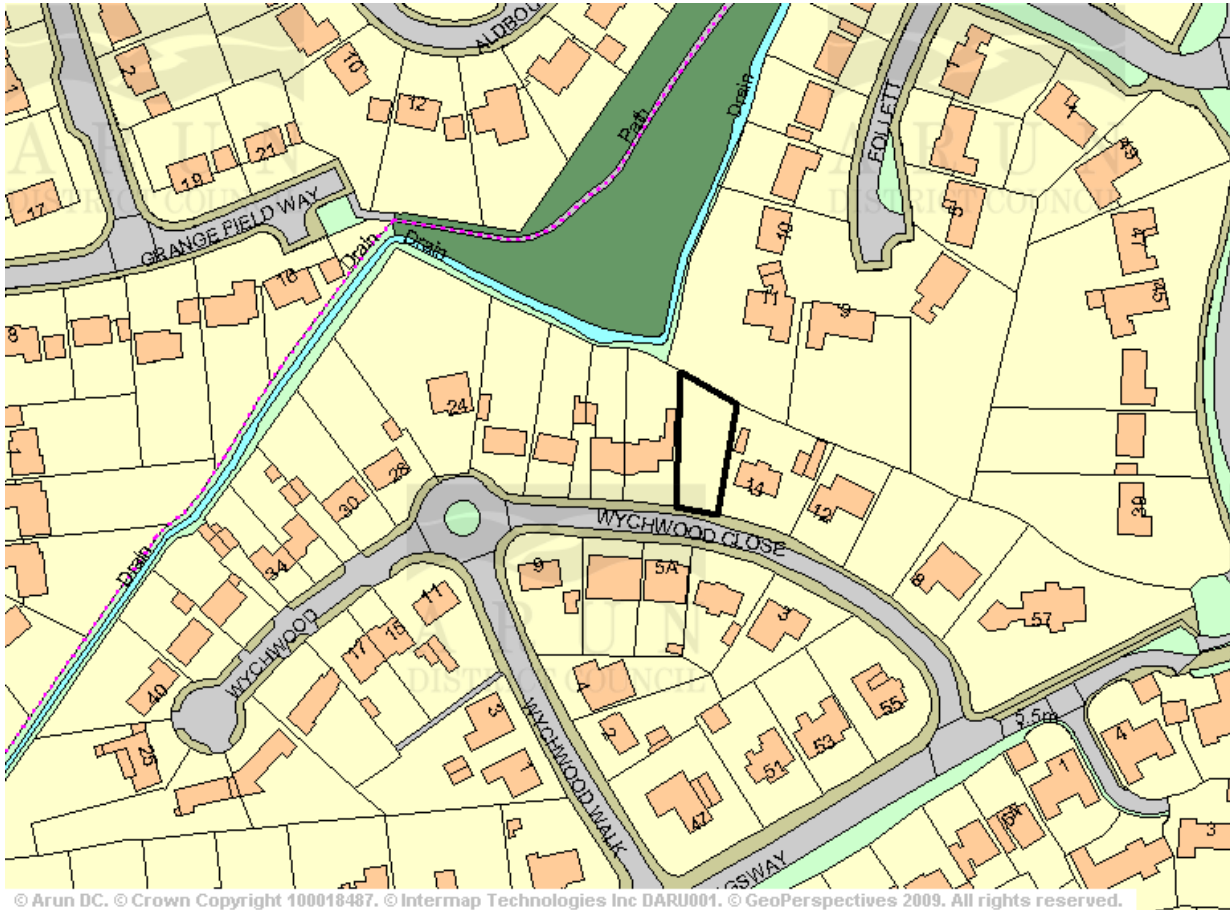
NATIONAL POLICIES: PPS1, PPS3, PPG13, PPG15

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

**AW/211/09/ 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/221/09/**LOCATION:** 27 Grange Court  
Aldwick  
Bognor Regis**PROPOSAL:** Rear single and two storey extension**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
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	Open to front. Close boarded fencing approximately 1.8m high surrounds the perimeter of the rear garden.
SITE CHARACTERISTICS	The site is a two storey detached dwelling, with white painted brick faced elevations and a hipped rolled tiled roof.
CHARACTER OF LOCALITY	The site is located within a residential cul-de-sac of properties of a similar style.

**RELEVANT SITE HISTORY****REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Aldwick Parish Council

Objection: Members unanimously objected to this application. Members expressed concern that the drain position as shown in the plans was dangerously close to the root footprint of an established Sycamore tree. Members were very concerned about the damage to the roots of the Sycamore tree and also, that the application showed over development of the site and would not be in keeping with its surroundings. Members also commented that the Sycamore tree is protected under its Tree Preservation Order.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted. Please refer to the comments from the District Arboriculturist below; the tree is not considered worthy of a Tree Preservation Order due to its size and health. Given the size of the plot, the proposal is not considered to amount to over-development.

## CONSULTATIONS

Horticulturist

### CONSULTATION RESPONSES RECEIVED:

District Arboriculturist: The tree was found to be in poor condition with some broken branch work, and possible disease in the main crown of the tree, which could cause failure in the future. The base of the tree is swollen which could indicate a defective graft when the tree was propagated.

This tree was most likely planted as part of the landscaping of the garden when this small estate was built, and is not readily visible from Grange Court Road.

The tree will live for a maximum of 20 years. The tree was not in place prior to the TPO being placed on the area in 1958.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted

## POLICY CONTEXT

Designation applicable to site:  
Within the Built Up Area

### DEVELOPMENT PLAN POLICIES

South East Plan:

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

### 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 to construct a two storey extension and single storey rear extension at 27 Grange Court.

The proposed two storey extension would measure approximately 4.5m in depth, 5m in width, and 6.5m in height. The proposed single storey extension would measure approximately 5.6m in width, 3.8m in height and 4m in depth.

The two storey extension would have a hipped roof to match that of the existing dwelling, whilst the single storey addition would have a mono-pitched roof. The extension would be constructed with tiles and painted brickwork. It is therefore considered that by reason of its scale, design and materials, the proposed extension would be in keeping with the existing dwelling, and as such would not have a significant effect on the visual amenities of the locality.

Furthermore, the location of the proposed extension is such that it would not be readily visible from the streetscene.

A distance of approximately 7m separates the flank of the extension from that of the property in closest proximity, no. 29 and existing linked garages lie between the two properties. It is therefore considered that the proposed extension would not have an overbearing impact on the occupiers of neighbouring dwellings.

The proposed extension would contain one window on its northern elevation, facing no.29, which is to serve an en-suite bathroom and is to be obscure glazed. The southern elevation of the dwelling would contain a first floor bedroom window, however its distance and orientation from the property to the south, no.25, is such that it is not considered to give rise to overlooking.

It is noted that concerns have been raised regarding the impact of the proposed development on a Sycamore tree, which is to be removed. The tree is relatively small in size, and is located in the rear garden. It is not visible to the public and as such is not deemed to be of amenity value. The District Arboriculturist has been consulted and has advised that the tree is not mature enough to be covered by the Tree Preservation Order of 1958, and is not deemed to be worthy of retention.

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 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.

- 3 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.



Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 This permission relates to the following approved plans; proposed location plan, block plan, roof plan, floor plans and elevations, received 18th November 2009.

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

- 5 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

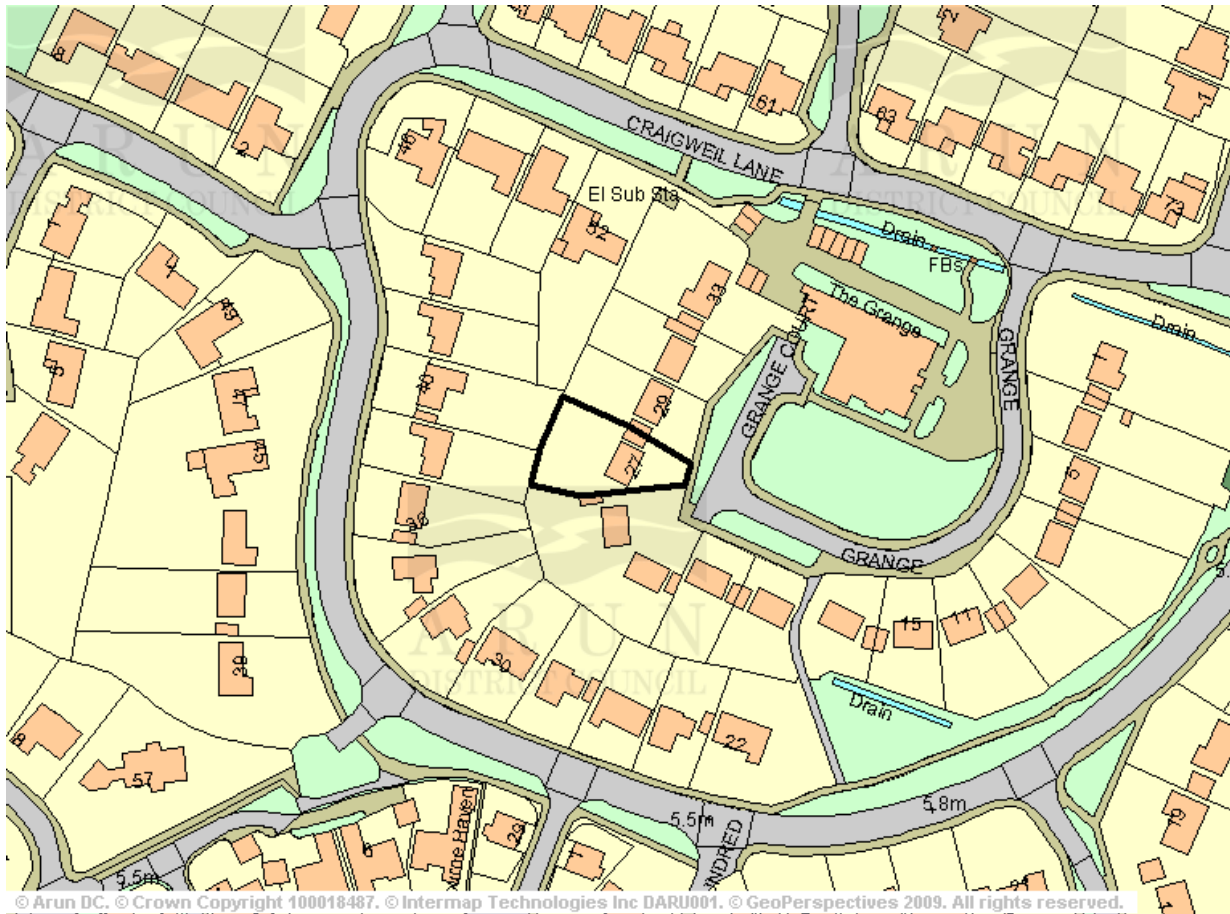
LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

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

**AW/221/09/ 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:** AL/113/09/**LOCATION:** Land north of Felpham  
Bognor Regis**PROPOSAL:** Alterations to the approved road design forming a 500m length of the BRNRR - Reserved Matter Application Ref: FP/220/07 (This application affects a Public Right of Way & also falls within the parish of Yapton)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application is a Reserved Matters application for a 500 metre length of the approved Bognor Regis Relief Road to incorporate a viaduct for that part of the road to be carried over the railway and the Lidsey Rife. This application is an amendment to planning consent FP/220/07.
	The road will retain exactly the same route as permitted with the same horizontal and vertical alignments. Effectively this application seeks the removal of the approved embankment for 500m and to replace it with a viaduct.
SITE AREA	7.5 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Agricultural land adjacent to the railway and the Lidsey Rife.
CHARACTER OF LOCALITY	Agricultural.

**RELEVANT SITE HISTORY**

FP/220/07/	Approval of reserved matters following outline application FP/92/04 - The western section of the Bognor Regis Northern Relief Road between the A259 at Felpham to the A29 & associated engineering works (This application affects a public right of way & also falls within the parishes of Yapton, Middleton, Bognor Regis, Aldingbourne & Bersted)	Approve Cond 15-01-2009
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FP/92/04/	Outline Application for residential development and associated uses forming part of policy site 6. Construction of the Bognor Regis Northern Relief Road from A259 at Felpham to A29 (This application is accompanied by an environmental statement and affects a public right of way)	Called In 30-11-2004  Appeal: Allowed+Conditions 22 11 2006
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## **REPRESENTATIONS**

### **REPRESENTATIONS RECEIVED:**

Aldingbourne Parish Council

Bersted Parish Council

Felpham Parish Council

Yapton Parish Council

Bersted Parish Council - Objects because the application is a major diversion from the agreed design and will not only be unsympathetic to the landscape but increase noise and vibration.

Felpham Parish Council - No objection and fully supports the proposal.

One letter of objection - Are concerned that the amended design of a raised viaduct along this section of A259 relief road, which will be elevated some 10 metres to bridge the railway and the rife, may compromise the ability to construct a workable junction intersection for the remaining north-south element running between Shripney and Felpham and shown on the Local Plan. They consider it is not acceptable for WSCC to defer considering the ability of a future developer to deliver the north-south section.

### **COMMENTS ON REPRESENTATIONS RECEIVED:**

It is not considered that a viaduct would be any more unsympathetic to the landscape than an embankment, and it could be argued that it would be less imposing on the landscape as there will be views through to the Downs. Environmental Health have no objections to the proposals on the grounds of noise pollution.

The WSCC were consulted with regards to the north-south link and have commented as follows:-

We have discussed the north-south link and I understand this was reviewed at the Inquiry. I am advised that the link is not considered part of the BRRR and is to be developed and brought forward as part of a separate development. It will be for this separate development to propose and design an acceptable link onto the BRRR. While in engineering terms it may be possible to link the proposed road into the viaduct this may not be desirable and the eventual designers may consider alternative solutions in the alignments and link of the road. All these issues would be investigated and addressed as part of any development that requires this link road to be provided.

## **CONSULTATIONS**

WSCC Local Development Divis.  
Southern Water Planning  
Environment Agency

Natural England  
Parks and Landscapes  
Environmental Health  
Engineering Services Manager  
Bognor Regis Task Force  
Network Rail

**CONSULTATION RESPONSES RECEIVED:**

Bognor Regis Regeneration Task Force - No comment.

Environmental Health - No objections.

Engineers - No comment.

Natural England - No comment.

Local Development Division (WSCC) - The change in the approved relief road design between the Stanover Lane Roundabout and the A29 Roundabout from an embankment with two bridges and a series of flood relief culverts to a viaduct (as detailed in the above application AL/113/09) has been assessed by the County Council.

The horizontal and vertical alignment, super elevation, forward visibility, stopping sight distance, parapets, etc., have been checked and found to meet the desirable minimum standards.

No issues are raised in terms of the ecological impact of the proposals and with regard to landscaping the following comments should be noted:

The important issue with a viaduct as opposed to embankment is the connectivity of the flood plain. This would also benefit access. Visually, a viaduct would be more difficult to screen than embankment so careful planting will be necessary to reduce the impact in the landscape of a high level road.

An additional problem with bridges/viaducts is the shade beneath and the difficulty in keeping a green landscape established. Careful consideration of the detail will be necessary.

In Landscape terms a viaduct would be acceptable subject to:-

- Detailed Landscape Proposals which have yet to be submitted. Tree planting could provide an important foil to the proposed hard structure.

- A light construction with sympathetic parapets.

- Colour to be sympathetic in the landscape. It is assumed that the finish will not be white as indicated in the photomontages.

- Details of ground treatment beneath the viaduct.

The change of approach in the construction of the relief road from raised embankment to a 'viaduct' to bridge the rife there has also been considered light of potential archaeological impact. In terms of archaeological evaluation/recording this will in turn involve a review of the mitigation measures. In particular it is important to ensure that any borehole analysis or geotechnical investigation has also involved a geo-archaeologist. This will avoid duplication of effort/sampling at a later stage and maximise use of resources.

With regard to Public Rights of Way, the viaduct allows the retention of the current alignment of footpaths. However, through the detailed design stages the applicants will need to liaise with the County Council Public Rights of Way Team to agree temporary closure and diversions during construction and also to agree materials and specifications of any re-instatements of the current Public Footpath network.

The County Council is therefore satisfied with the in principle design of the viaduct structure and has no objection to the proposed change in the approved road design provided the applicant is able to address the landscape, archaeological and Rights of Way issues raised above.

The following comments though have been identified through the planning application appraisal process and need to be addressed at the detailed design stage:-

1. A new Approval in Principle (AIP) Document is required for the viaduct structure.
2. An AIP Document is also required for the two culverts along the maintenance/inspection access track.
3. Eurocodes come into effect on 1st April 2010 due to the withdrawal of all British Standard Codes. The viaduct will need to be designed in accordance with the new Eurocodes, unless the viaduct AIP Document is signed before 1st April 2010.
4. Surfacing the viaduct carriageway in Stone Mastic Asphalt is not appropriate because this type of material is not dense enough to be used in these situations, an alternative surface course should be found such as Hot Rolled Asphalt.
5. Consideration should be given to the omission of the viaduct asphaltic protective layer following recent research.
6. Weldmesh parapet panels should be used adjacent to the footway/cycle facility.
7. The parapets only need to be 1.5 metres in height over the railway line.
8. The parapet plinths need to slope towards the footway/cycleway/verge (on the section drawings).
9. The precast YE7 edge beam on Drawing No. 5059669/CBR/SK811 Issue P1 is incorrectly dimensioned.
10. Consideration should be given to the means of disposal of highway surface water from the viaduct; the County Council's preference would be for a conventional road gully drainage system to be used, instead of the Beany Block drainage system. Beany blocks are more difficult and expensive to maintain compared with conventional road gullies.
11. If the Highway surface water ponds are located within the flood plain consideration should be given to pollution prevention measures.
12. The maintenance/inspection track drawbridge should be replaced by a box culvert because mechanical structures of this type place an unreasonably high maintenance burden on the County Council. The latter will require significantly less maintenance in the future. This culvert will also require an AIP Document.
13. As the maintenance access/inspection track passes through the flood plain unbound

materials should not be used because this type of construction would rapidly deteriorate through use, particularly during periods of flooding.

14. Whilst it is accepted current design standards do not require the viaduct to have street lighting in the event the standard or policies change in this respect in the future and street lighting columns need to be installed retrospectively, build-outs i.e. lighting column fixing points should be provided on the outside of the parapets along the face of the viaduct at suitable intervals (for assistance over the spacing arrangements) our Street Lighting Team can be contacted direct on 01243 777540. Furthermore, a duct should be installed within the viaduct deck for future electrical cables.

15. As the precast beams are up to 32m in length consideration should be given to the transportation and placement of beams of this size and details need to be submitted in this respect as part of the construction management plan.

16. The Developer will be required to pay a commuted sum as a contribution towards the future maintenance of the viaduct, culvert structure, etc.

#### CONCLUSION

The County Council has considered the change in the approved road design between the Stanover Lane Roundabout and the A29 Roundabout and found the viaduct proposal acceptable in principle. The County Council therefore has no objection to the revised scheme subject to the above comments being addressed at the detailed design stage.

Environment Agency - No objections.

Parks and Greenspace -

1.0 There is no objection to the proposed viaduct which replaces the embankment subject of Reserve Matter consent.

2.0 The proposal does have a greater landscape impact than the embankment which was due to be screened by native vegetation, though it is acknowledged views through the viaduct would be possible. However, the benefits provided from an ecological perspective outweigh the landscape concerns.

3.0 Consideration should be made on the final colour of the viaduct - it is assumed the colour of the photomontage is a guide to the outline and not a final colour. The final colour should be such that it is sympathetic to the landscape.

4.0 Consideration should also be given to the provision of tree planting adjacent to the viaduct to provide future screening in some locations to break the stark outline of the viaduct.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

### **POLICY CONTEXT**

Designation applicable to site:  
Site 6

#### **DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPNUM10	Noise
	SEPC4	Landscape and Countryside Management

Arun District Local Plan:	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN11	Inland Flooding
	GEN32	Noise Pollution

**PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPG13	Transport
PPG16	Archaeology and Planning
PPG24	Planning and Noise
PPS25	Development and Flood Risk

**POLICY COMMENTARY**

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

**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 on highway safety.

**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 proposal is a reserved matters application for a viaduct section of the Relief Road over the railway and the Rife instead of an embankment solution already approved. The route and alignments are exactly the same as already approved.

The West Sussex County Council consider that the proposal is acceptable in principle subject to further technical details being submitted by planning conditions. All other technical consultees have no objections to the proposals.

The viaduct solution is considered to have a less visual impact on the landscape than the approved embankment. However, the details of the finishes to the viaduct are not yet known and, therefore, have been conditioned for future approval.

Notwithstanding the comments of the West Sussex County Council, it should be noted that there is a north/south road link on the Local Plan that will be potentially impacted by the granting of this permission. The link is shown on the Local Plan would meet the Relief Road at a point on the proposed viaduct. While it is not impossible for links to be made to a viaduct, it can prove to be technically very difficult. An example of a viaduct with junctions attached would be the A27 at Shoreham over the river Adur.

It is therefore recommended that the application be approved subject to the conditions set out



below.

## RECOMMENDATION

### APPROVE CONDITIONALLY

- 1 No development shall commence until such time as a full schedule and copies of all ecological surveys and mitigation reports for the previous outline application and subsequent reserved matters applications has been submitted to and approved in writing by the Local Planning Authority. This shall include a full and detailed description of how the 'lesser mitigation measures' as described in the supporting documents for this current application will be undertaken and quantify how they relate to the proposed development.

#### Reason

The supporting documents submitted with the application refer to 'lesser mitigation' being required as a result of this alteration to the previously approved scheme, but do not precisely quantify how these will be undertaken or what these measures are. As this scheme is substantially different to that previously approved, such details need to be given consideration to ensure they are still appropriate. In accordance with PPS9 and South East Plan Policy NRM5, the development should provide opportunities to enhance the biodiversity of the area.

- 2 Prior to the commencement of development the final details of the external appearance of the proposed viaduct shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the viaduct is visually acceptable in accordance with PPG13 Transport and policy GEN7 of the Arun District Local Plan

- 3 Prior to commencement of construction of the viaduct structure the developer shall provide an area for the storage of materials, parking for construction traffic and an appropriate turning area within the site clear of the public highway in accordance with a detailed construction plan to be submitted and approved by the Local Planning Authority.

Reason - To ensure that adequate space exists for the storage of materials, the provision of parking and turning of construction vehicles in accordance with PPG13 Transport.

- 4 Prior to commencement of construction of the viaduct structure the developer shall provide a suitable access route through the land that enables the viaduct structure to be built and the detailed design of the access track must be submitted and approved by the Local Planning Authority. The access route should be designed to a sufficient standard that allows the track to be retained and used by the County Council during future inspection and maintenance operations.

Reason - To ensure that an adequate access track is available for use by construction traffic initially and inspection / maintenance vehicles afterward in accordance with policy PPG13 Transport.

- 5 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.

6 INFORMATIVE:

Prior to commencement of construction of the viaduct structure the developer must enter into a Section 38 Highway Agreement with West Sussex County Council. Details of which can be obtained by contacting the Implementation Team of the Local Development Division on 01243 777565.

7 INFORMATIVE:

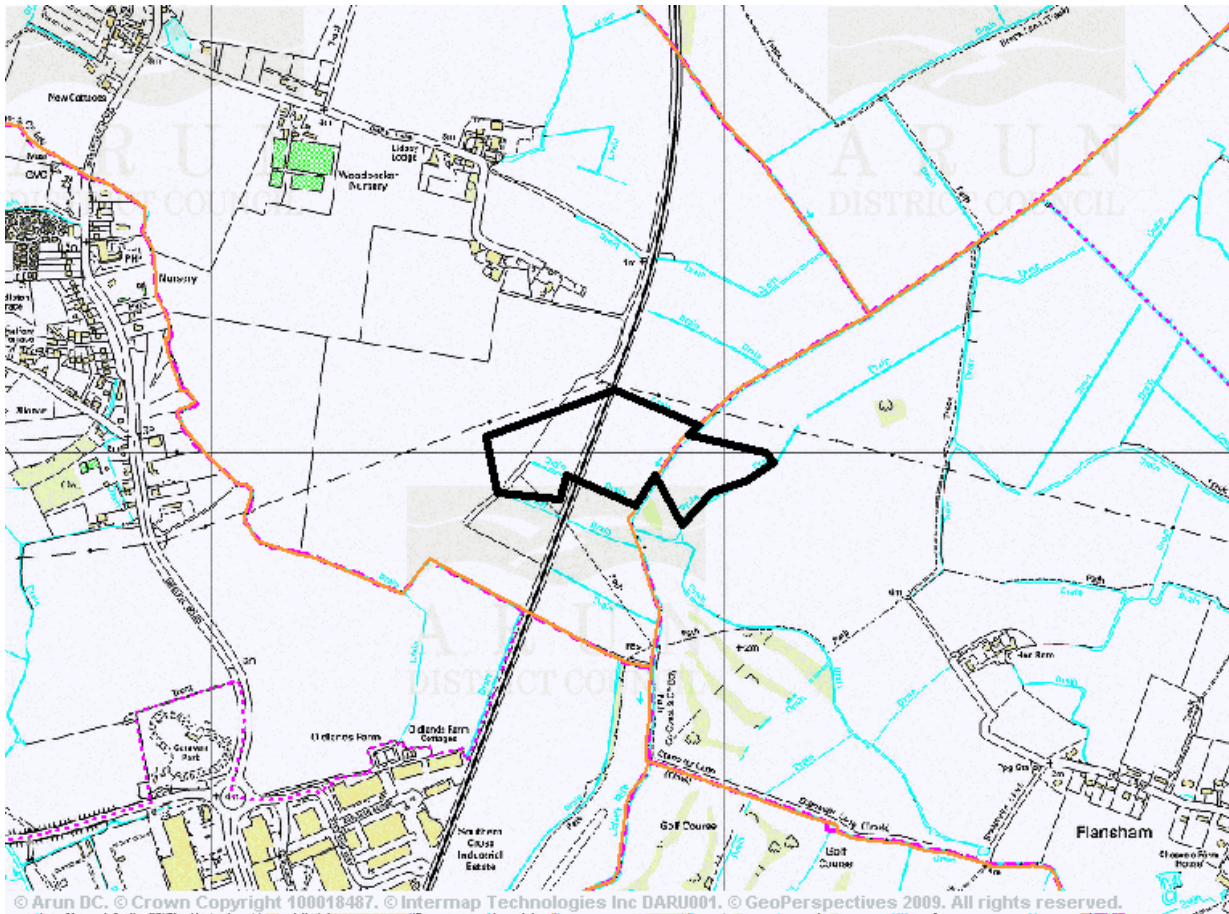
The Environment Agency state:

Groundwater Protection

Pollution prevention measures should be incorporated into the surface water management plan. Further details of pollution prevention can be found at our website.

**AL/113/09/ 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:** AL/114/09/**LOCATION:** New House Farm  
Norton Lane  
Aldingbourne**PROPOSAL:** Proposed tourist units in redundant farm building- amendment to AL/92/08 (in lieu of the B1 use approved) - This application is a Departure from the Development Plan**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application is further to the approval AL/92/08 which granted consent for conversion of a utilitarian metal barn to B1 use, this application is to convert the metal barn to tourist accommodation.
SITE AREA	0.28 hectares
RESIDENTIAL DEVELOPMENT DENSITY(NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint walling to the front and mature tree screen on rear boundary.
SITE CHARACTERISTICS	The barn is a modern corrugated sheet metal barn formerly for hay storage.
CHARACTER OF LOCALITY	Rural farmland with residential properties in linear design along the road frontage.

**RELEVANT SITE HISTORY**

AL/92/08/	Re-use of redundant farm buildings for mixed use development - B1 offices, residential dwellings & tourist accommodation units	Approve Cond 21-01-2009
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**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Aldingbourne Parish Council

It is noted that the application is a departure from the development plan, given that permission for development of the farm buildings has already been granted, this Council would support use of the buildings as tourist accommodation rather than B1 use.

3 letters of support

The previous approval for offices would have detracted from the rural residential nature of the area. The Conservation Area would be compromised by office development. The infrastructure would not be suitable for business units but adequate for holiday lets.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted. The buildings are not worthy of conversion as per the terms of policy DEV1.

## CONSULTATIONS

WSCC Local Development Divis.

Environment Agency

Cultural Development

Engineering Services Manager

Building Control

**CONSULTATION RESPONSES RECEIVED:**

Conservation Area Advisory Committee

Objection - consolidating a building of poor quality and detracting from a Conservation Area.

Environment Agency

The proposed development will only be acceptable if the mitigation measures identified in the FRA are implemented.

County Highways

Given the previous approval for a B1 use, the proposed use would be acceptable and the provision of 12 spaces is within the parking standards. However the site is lacking in services and facilities including public transport, therefore it is unsustainable, and therefore contrary to policies.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

## POLICY CONTEXT

Designation applicable to site:

Outside the Built Up Area

Class C Road

Within a Designated Conservation Area

**DEVELOPMENT PLAN POLICIES**

South East Plan:	SEPBE5	Village Management
Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	DEV1	Conversion of Rural Buildings for Industrial or Business Use
	DEV2	Conversion of Rural Buildings for Residential Use
	AREA2	Conservation Areas

**PLANNING POLICY GUIDANCE**

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPG13	Transport

	PPG15	Planning and the Historic Environment
Supplementary Guidance:	XXX3	Good Planning Practice Guide on 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.

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 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 utilitarian steel framed barn of modern construction was built solely to store animal feed. It is 3 sides with the frontage open bays. The conversion of this structure to tourist accommodation would be contrary to policy in that the conversion could not be compliant with DEV1. The building is not of permanent construction and capable of conversion without rebuilding or significant alteration or extension. The proposed alterations would result in an adverse visual appearance and not sympathetic to its setting.

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 conflict with this policy in that the character of the Conservation Area would be compromised by this in appropriate conversion.

### **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 lies outside the built up area boundary where development is not acceptable unless necessary for the needs of agriculture. Where agriculture has diversified, local plan policy DEV1 supports the re-use of traditional farm buildings to suitable commercial use comparable to the previous farm use. Application AL/92/08 granted consent for the barn to be changed to a B1 office use. Traffic associated with farm use is quite intensive and therefore a commercial use is considered in highway terms to be less intensive. This application is to make changes in the building to make it suitable for a tourist use. Tourism is normally considered to be a satisfactory commercial use or farm diversification. However in this case, the alterations to the steel framed

utilitarian agricultural store would be inappropriate and contrary to DEV1.

#### PPS7 Sustainable Development in Rural Areas

This policy encourages the re-use of "suitably constructed" existing buildings in the countryside that would meet sustainable development objectives. Re-use for economic development purposes is preferred. Such buildings should be suitable for re-use. More specifically the PPS encourages the need to preserve buildings of historic or architectural importance or interest. The PPS also encourages tourism as a means to sustain rural businesses. Again the advice is to support the "conversion of suitable existing rural buildings". It is not considered that this steel framed agricultural store is a suitably constructed rural building for conversion to tourist accommodation under the terms of PPS7.

#### Good Practice Guide on Planning for Tourism

This guide recognises that tourism can be a key element in rural and farm diversification and states that wherever possible, tourist facilities should be housed in existing buildings. Further it adds that in all cases planners will need to weigh up the benefits of a tourism proposal against any disadvantages arising from its location. Good design is a key element and important to tourism because its success will depend upon how attractive it is to visitors. In this case in addition to be an unsuitable building, the resultant design is considered inappropriate and not suitable to the surrounding countryside.

#### Local Plan Policy DEV1: Conversion of Rural Buildings for Industrial or Business Uses

This policy deals with the conversion of former agricultural buildings which will be permitted provided that:-

- (i) the building is structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension.
- (ii) the resultant building and use will not have an adverse effect on the rural character of the area in respect of the nature and level of activity likely to be generated.
- (iii) the resultant building is sympathetic to its setting in terms of form, bulk and visual design.

The proposal does not conform to this policy in that it is not of permanent construction capable of conversion without rebuilding or significant alteration. The nature of a steel framed storage barn can convert easily to a business use B1 as per the existing approval. However, it does not convert to tourist accommodation without significant alteration and possible rebuilding. The resultant design of fenestration would be totally inappropriate with the utilitarian barn and it would result in an unsympathetic structure which would detract from the traditional flint former flint buildings which have had permission to be converted (AL/92/08) to tourist accommodation. Therefore as a matter of principle, the local planning authority are sympathetic and supportive of appropriate barn conversions, however, in this specific case, the proposed conversion is considered inappropriate and non-compliant with the above countryside policies.

#### Local Plan Policy AREA2 Conservation Areas:

This policy states that planning permission will only be granted for development which preserves or enhances the character or appearance of a conservation area or its setting. In this case the proposal would detract from the setting of the conservation area, which is set around the traditional farm yard. Characteristic of the area is flint buildings. The other converted barns on the site are either flint or brick. Therefore the conversion of this modern steel barn to a residential design would be totally out of keeping with the conservation area and therefore would detract from its setting.

### Site History

Application AL/92/08 granted consent of a number of redundant agricultural barns/dairy to a mix of residential dwelling and tourist accommodation. The storage barn in question was granted a B1 use. At the time of that application a full structural survey was submitted. The local planning authority at that time considered that the buildings for the conversion to residential and tourism were historic buildings worthy of retention. At the time of that assessment, the metal storage barn, in the context with the retention of the flint/brick buildings was considered satisfactory to be converted to a B1 use. A B1 use requires simply utilitarian buildings, tourist accommodation however is comparable to a residential use even though it is considered to be a commercial use. Therefore a simply metal utilitarian building would not be satisfactory.

### Visual and Structural Considerations

The applicant has not submitted a revised structural survey to ascertain that the building could be altered to accommodate the proposed fenestration changes without requiring a significant rebuild. The structural survey submitted under AL/92/08 was submitted on the basis of B1 use and tourist residential use would require more significant alteration. Visually, the proposed alterations to the building are inappropriate in a steel functional barn and would be a visual intrusion detracting from the historic flint barns and brick dairy buildings. Therefore the proposal is considered to be in conflict with the above countryside policies.

### Residential Amenity

The applicant included 3 letters of support from neighbours with their main consideration being that of traffic. The neighbours are of the opinion that tourism would attract less traffic than a B1 use. However, part of any highway consideration regarding rural conversion is the original use. Farm traffic is quite intensive and that is why a B1 use is considered appropriate uses for rural buildings. A B1 use covers many specific uses and a quiet office use would not attract any more traffic than a tourist use.

### Highway Considerations

The County Highways have commented that the proposal would raise an objection from them on the grounds that the site is in an unsustainable location with no facilities and very limited public transport. In this case, as other barns have been granted consent for a tourist use, they would not sustain that objection.

### Summary

The barn is not a suitably constructed rural building worthy of retention. It was a utilitarian farm store. The building could convert satisfactorily to a B1 use, but, due to its construction and the necessary required alterations to the building, its conversion to form tourist accommodation would not conform to local plan policy DEV1. The design of the inappropriate conversion would detract from the special historic context of the conservation area. Therefore it is recommend that the application is refused for the following reasons.

## **RECOMMENDATION**

### REFUSE

- 1 The proposal is unacceptable in that the building is unsuitable for the new tourist accommodation proposed use because it is not a suitably constructed rural building by reason of metal frame and clad design. There is no structural survey submitted to assess the degree of rebuilding or significant alteration. The submitted elevational plans show significant rebuilding and alteration. Furthermore the design of the conversion would result in a visual distraction from the surrounding converted flint and brick barns and conservation area.

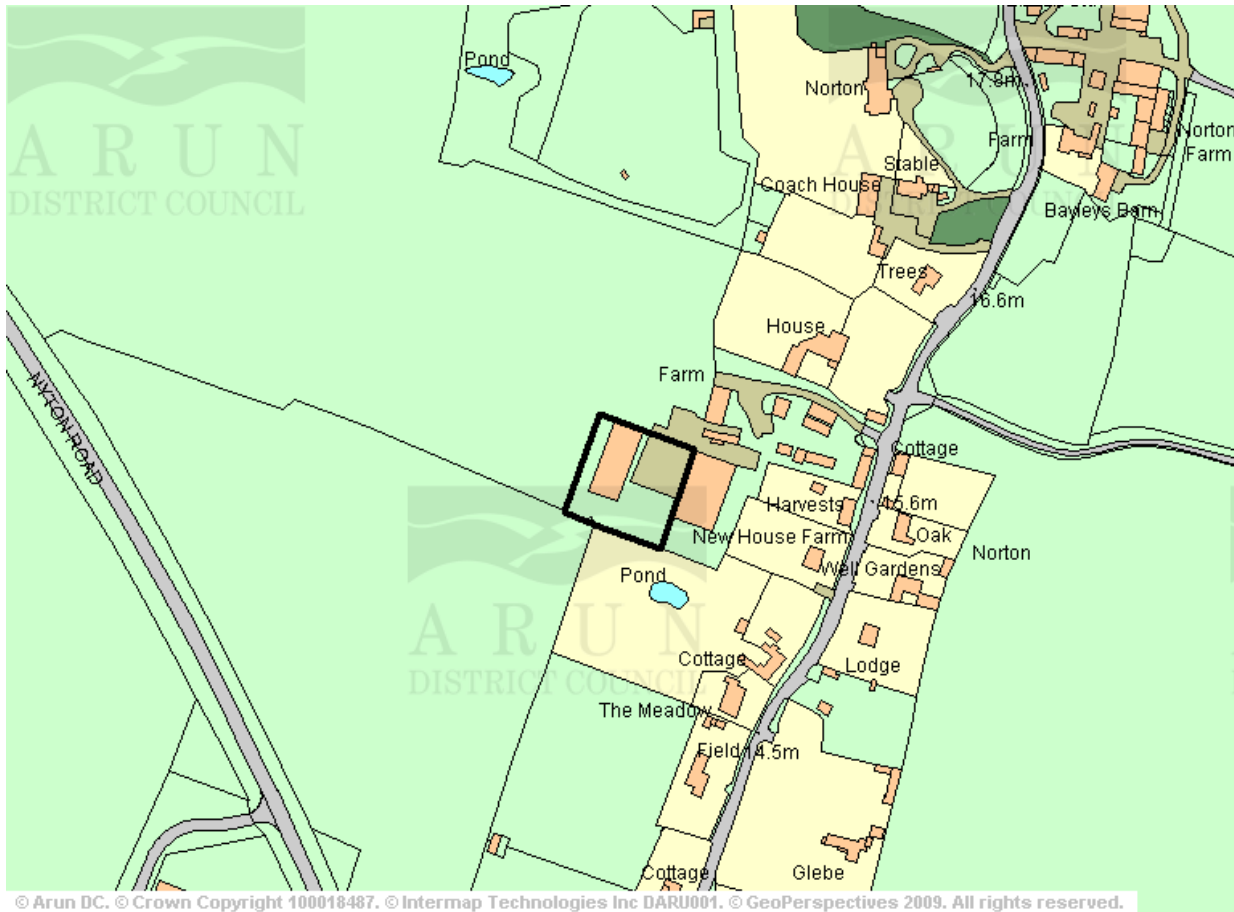


It therefore conflicts with policies DEV1, DEV2, AREA2 of the Arun District Local Plan for development in the countryside.

**AL/114/09/ Indicative Location Plan**

**(Do not Scale or Copy)**

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



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