

AW/6/09/

PLANNING APPLICATION REPORT**REF NO:** AW/6/09/**LOCATION:** 4 Arun Way
Aldwick**PROPOSAL:** Proposed garage.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is a resubmission of a previous application for a garage forward of the dwelling, following a refusal by the Council and an Inspector's decision which dismissed the appeal (AW/88/06).
SITE AREA	0.12 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Brick and railings to the front, walling to the sides. Planting to approximately three and half metres in height behind the front railing.
SITE CHARACTERISTICS	Large, recently constructed detached house with stone dressing. Hardsurfaced parking area to the front.
CHARACTER OF LOCALITY	Predominantly residential. The site lies part-way down a small residential cul-de-sac of large detached properties. This part of the cul-de-sac mirrors the general pattern of development within the estate in that it has a fairly open frontage. It is recognised that some properties do have detached buildings within their curtilage (e.g. 1 Arun Way has a double detached garage sited behind the turning head at the end of the cul-de-sac, and 5 Arun Way has a small outbuilding to the front - but this is tucked away out of the main line of sight and is not in a visually prominent position), however, none of these existing structures are considered to materially harm the open aspect and appearance of the street scene.

RELEVANT SITE HISTORY

AW/184/05/	Replacement dwelling - amendment to AW/109/01	Refused 28-09-2005
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AW/245/05/	Replacement dwelling - amendment to AW/109/01/ following refusal of AW/185/05/	Approve Cond 15-02-2006
AW/88/06/	Proposed detached garage	Refused 28-06-2006 Appeal: Dismissed 30 03 2007

REPRESENTATIONS**Representations received:**

Aldwick Parish Council

Objection:

The proposed garage to the front of the property would adversely effect the visual amenities of the area.

Aldwick Bay Company Ltd.

Objection:

The saga regarding this site has been ongoing since AW/25/01. All applications which included the garage have been refused. The company still objects as the garage would be intrusive and unsympathetic to the street scene and out of character.

4 letters of objection:

Only minor changes have taken place on the refused application. The inclusion of a roof light questions the use as a future annexe. It does not overcome the reason for refusal. Landscaping is only a token effect. The previous garage which was knocked down was flat roofed and inconspicuous. It would be unneighbourly. The Inspectors decision should be supported and permission refused.

One letter of support:

As this construction will be built behind existing trees, cannot see how it would have any adverse effect on any view in Arun Way.

Comments on Representations received:

Noted. It is agreed that the proposed building would be unduly prominent within the street scene and detrimental to the appearance and open character of this part of the estate. The application indicates the proposed use of the building would be to provide garaging, rather than being used as an annexe.

CONSULTATIONS**Consultations responses received:**

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

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West Sussex Structure Plan:	DEV1	High Quality Development
	CH1	Character
	DEV5	Parking Provision
	LOC1	Locational Strategy
Arun District Local Plan:	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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 have a materially adverse effect on the visual amenities of the locality and 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 boundary wherein the principle of residential development (including extensions and outbuildings) would generally be accepted subject to usual development control considerations.

Visual Amenity:

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The proposal is for a garage on the front boundary 6.5m by 5.5m (4.3m high). Several applications for garages on this site forward of the dwelling have been refused. The previous application AW/88/06 was dismissed at appeal. The Inspectors reason was concern regarding the harsh visual appearance within the street scene, due to lack of existing screening. Also there was concern that the view on entering Arun Way would be of garage doors.

Whilst some effort has been made by the applicant to overcome the previous reason for refusal by planting screening to a height of approximately 3.5m and moving the garage doors to the rear, facing the house, it is considered that the main concern that the garage would be sited in a visually prominent location to the front of the property where it would diminish the open appearance of this part of the estate still applies.

Whilst it is accepted that there are outbuildings at the end of the cul-de-sac (No.1) and to the front of No.5, these existing buildings are not unduly visually prominent and are not readily viewed upon entering the cul-de-sac. The proposed garage building, conversely, because of its siting and form would be extremely prominent and would detract from the appearance and open character of Arun Way to an extent that would be contrary to the provisions of policy DEV1 and GEN7.

Although the screen planting that has now been provided would go some way towards mitigating the harsh appearance of the garage building, it would still be readily visible and have a detrimental impact on the character and appearance of the locality. Furthermore, whilst a condition could be imposed requiring the screen planting to be retained, the local planning authority would not be able to enforce this after five years, whereas this prominent, permanent building would remain in situ for far longer than that. Whilst moving the garage doors potentially provides some visual benefit, it is not considered this is sufficient to warrant a different decision to that previously taken.

Residential Amenity:

It is considered that the proposed development would result in no material detriment to the amenities of the occupiers of nearby residential property.

Highway Issues:

The existing access will not be altered and it is considered that sufficient space would be retained within the curtilage of the property to enable vehicles to enter and exit the site in forward gear. The property is located within a quiet cul-de-sac comprising a relatively small number of properties. It is not considered that the proposed development would materially impact on highway safety or the free flow of traffic in the local road network.

Other Material Considerations:

The Planning Inspector's decision in respect of AW/88/06 is a material consideration to which significant weight should be attached. It is considered that the concerns expressed by the Inspector have not been satisfactorily addressed in this revised application.

Conclusions:

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It is considered that the existing and additional proposed planting and the resiting of the garage doors to face the front of the property, rather than the road, are not sufficient to overcome the previous reason for refusal and that the proposed development would result in material demonstrable harm contrary to the provisions of the Development Plan. There are no other material considerations of sufficient weight to justify a decision other than in accordance with the Development Plan, therefore it is recommended that the application be refused for the following reason:

RECOMMENDATION**REFUSE**

- 1 The proposed garage to the front of the property would, as the result of its siting and size, be visually prominent within the street scene and would erode the open aspect of this part of the estate. The proposal would thereby be detrimental to the visual amenities and character of the locality contrary to the provisions of policies DEV1, CH1 and LOC1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.