

PLANNING APPLICATION REPORT

REF NO: **A/135/09/**

LOCATION: Littleworth House
 High Street
 Angmering

PROPOSAL: Renewal of unimplemented planning permission A/164/04/ for the conversion & extension of existing garage to form dwelling

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 325 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	On land elevated approximately 1 metre from road level.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is an approximately 2 metre high flint wall to the front of the site other than where the garage building faces directly onto the highway. The flank wall of the garage makes up the bulk of the western boundary with the remainder being an approximately 2 metre high brick wall which continues around the northern boundary. The eastern boundary is currently open as the site is part of the garden of Littleworth House.
SITE CHARACTERISTICS	Large garden area adjacent to a semi-detached cottage to the east and two storey dwelling (set back) to the west.
CHARACTER OF LOCALITY	The site is located within Angmering Conservation Area on a section of road which is lined by a mixture of two-storey buildings on the north side. Some of the buildings face directly onto the High Street whilst others, generally the more modern buildings, are set back from the road.

RELEVANT SITE HISTORY

A/140/98/	Conversion and extension of existing garage to form a dwelling and construction of a garage to serve Littleworth House (this is an Outline Application)	Refused 08-04-1999 Appeal: Dismissed 13 08 1999
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A/114/99/	Conversion and extension of existing garage to form dwelling (Resubmission following A/140/98)	Approve Cond 09-03-2000
A/164/04/	Renewal of unimplemented permission A/114/99 for the conversion & extension of existing garage to form dwelling	Approve Cond 10-01-2005

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection. Concerns in respect of the time that has elapsed since the first planning permission was granted regarding this site and the continued uncertainty that the failure of the applicant to proceed with the work has caused their immediate neighbour. We would ask that the planning office impose a clear timetable for this permission in line with relevant legislation and propose that the permission will lapse if no work is commenced within that schedule.

1 letter of objection. Circumstances have changed since the application was first submitted some 12 years ago when neither the Angmering by-pass or Bramley Green were in existence. The High Street is now more busy due to the popularity of The Spotted Cow and increased business at Manor Nurseries. The original application was robustly turned down by your office. The orange notice was displayed only briefly before being washed down by rain.

Comments on Representations received:

Planning legislation is clear in that unless there has been a material change in planning circumstances, applications to renew unimplemented planning permissions should be approved. There have been no material change in planning circumstances in this case. The by-pass would not be justification for withholding a permission. The site notice was posted in accordance with procedures.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways: West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. A/164/04 to which no objections were raised. I am not aware of any adverse comments that may have been made by the Highway Authority, or of any other

highway related concerns with this site and the proposed use. Therefore, I would not foresee there being any significant highway issues to this renewal of unimplemented planning permission.

Conservation Area Advisory Committee: No objection.

Comments on Consultation responses:

Noted

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Within Conservation Area

Adjacent to Grade II Listed Building

DEVELOPMENT PLAN POLICIES

South East Plan:

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

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment

POLICY COMMENTARY

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

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to 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, including the setting of the Listed Building or the character and appearance 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

Circular 11/95 states that renewal of existing planning permissions should be granted unless there has been a material change in circumstances, such as a change of policy, or the continued failure to develop is causing unacceptable uncertainty regarding the future pattern of development in the surrounding area.

Since the last renewal of permission, the same edition of the Arun District Local Plan is still in use. Although the West Sussex Structure Plan has now been replaced by the South East Plan, it is considered that there are no policies to which the proposal would be in conflict with.

Although the original permission was granted 10 years ago, it is not considered that the failure to develop so far has caused unacceptable uncertainty regarding the future pattern of development in the surrounding area as the proposal is of a modest scale.

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 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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

592/03/AB; 592/04/ABC

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

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and 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.

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

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7, AREA2 of the Arun District Local Plan.

- 5 The building shall not be occupied until the parking spaces and turning facility 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, GEN12 of the Arun District Local Plan.

- 6 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the west wall or the west and north roof slopes

of the dwelling without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 8 The front flint boundary wall shall be maintained and remedial methods to prevent its failure shall be applied. In the event of irreparable failure, the wall shall be rebuilt in accordance with details submitted to and approved by the Local Planning Authority.

Reason: In the interests of amenity in accordance with policy GEN7, AREA2 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 including the setting of the listed building, or the character and appearance of the conservation area and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, AREA2

NATIONAL POLICIES: PPS1, PPS3, PPG15

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