



DECISION NOTICE

Application Ref: A/44/08/

To Addressee

Mr Alan Baker
Baker Associates
87 High Street
Steyning
West Sussex
BN44 3RE

Site Address

Eagle Cottage
High Street
Angmering

Description of Development

Construction of double car port & store with extension to drive

In pursuance of their powers under this Act and related Orders and Regulations the Council
PERMIT this development to be carried out in accordance with the application and plan and
subject to compliance with the conditions specified.

CONDITION 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).

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

STRUCTURE PLAN: LOC1, DEV1, CH1

LOCAL PLAN: GEN2, 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.

Case Officer: Mrs J Chapman

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Date of Decision:

15th May 2008

Date Decision Issued:

15th May 2008

Howard Cheadle
Head of Planning & Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the First Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

PLANNING APPLICATION REPORT

REF NO: A/44/08/

LOCATION: Eagle Cottage
High Street
Angmering

PROPOSAL: Construction of double car port & store with extension to drive

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed car port and store measures approximately 8.7m in length, 6.3m in depth and 5.5m in height.

SITE AREA

Approximately 0.10 hectare.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Front boundary has access and hedging, rear boundary has close boarded fencing 1.8m in height + conifer trees over 4m in height, east side boundary has hedging/tree screening approximately 4m in height, west side boundary has close boarded fence approximately 2m in height + shrubs/tree screening

SITE CHARACTERISTICS

Gravel driveway located off High Street leading to a detached stable block used as a detached garage and workshop. Gravel pathway then leads to a detached two storey property with rear dormer that has previously been extended. The walls have reddish/brown brickwork, red tile hanging on upper half, white PVCu windows with a red tiled roof.

CHARACTER OF LOCALITY

Village Centre location which comprises residential properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

Reference

Description

Decision

A/26/04/	Alterations & extensions to existing house	Approve Cond 02-04-2004
A/78/04/	Removal of corrugated plastic roof, replacement with slate pitched roof & reslating of existing slate roof and asbestos roof	Approve Cond 23-07-2004
A/28/67	Alterations and new access to existing garage and new garage and store	Approve 23-02-1967
A/14/67	Chalet bungalow	Approve Cond 23-02-1967
A/169/73	New utility room	Approve Cond 08-10-1973
A/175/66	Revised access to approved building plot	Approve Cond 24-01-1967
A/200/73	New utility room and lobby	Approve Cond 17-12-1973

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

2 Letters of Objection (from same address)

The construction of the foundations for the driveway and carport would involve disturbing the topsoil and destroying the root systems of the trees, shrubs and hedging along the inside of the boundary fence of Walnut Cottage and would disturb the secluded private garden. The height of the carport is too high and will be intrusive and part of the garden will be in shade which will impact upon the plant life and character of the garden. The car port and additional parking area will significantly increase the carbon footprint of Eagle Cottage and increase the level of pollution.

Comments on Representations received:

Noted.

The proposed design and scale of the car port is considered to be acceptable within the context of the plot size. The construction of the driveway can be implemented without the need for a planning application. The trees on the neighbouring property are not covered by a Tree Preservation Order or within the Angmering Conservation Area and possible damage to the root system is not considered to be a material planning consideration. The scale and siting of the carport with regard to the distance to neighbouring properties

is not considered likely to give rise to adverse overshadowing or overbearing effect.

CONSULTATIONS

Head of Highways and Transport

Conservation Officer

Consultations responses received:

Head of Highways and Transport

From inspection of the submitted plans the proposal does not appear to affect the public highway.

Conservation Officer

This is a well designed structure that will not detract from the character or appearance of the adjacent Conservation Area.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built Up Area Boundary

Building of Special Character

Abutts Conservation Area

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan LOC1

CH1

DEV1

Arun District Local Plan:

GEN2

GEN7

Locational Strategy

Character

High Quality Development

Built-up Area Boundary

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

Access to the property is located off the High Street along a gravel driveway between properties Brocketts and Claverton. The proposal seeks to construct a car port and store in the rear garden of the property, create a new driveway and widen the existing access to enable vehicular access to the site.

The original plans have been amended and the substitute plans show the re-siting of the building further away from the southern boundary and have reduced the height of the building from 6m to 5.5m which is considered to be more acceptable. The proposed car port and store will be sited at the southern end of the garden with the construction of a new drive on the western boundary of the site. The properties to the east in Weavers Hill are approximately 40m from the proposal and the building will be sited approximately 3m from the neighbouring boundary to the rear Apple Trees and approximately 5m from the dwelling. This property has a single storey extension on the rear that will front the proposal.

There are no windows on the rear of the car port and as the roof slopes away at this point the roof will only be visible above the boundary fencing by approximately 700mm. With close boarded fencing approximately 2m in height and conifer trees of approximately 4m in height along this rear boundary it is not considered that the proposal would detrimentally harm the occupiers of this property by way of overbearing effect, overshadowing, loss of privacy or overlooking. The neighbouring boundary to the west of Walnut Cottage is approximately 1m from the proposal and approximately 11m from the dwelling. The western boundary has fencing of approximately 2m and shrubs/tree screening of over 3m in height. There are no windows on the west side elevation of the car port and whilst it is accepted that there may be some overshadowing to the rear garden area in the late afternoon of Walnut Trees it is not considered to be of a harmful nature to warrant a refusal.

Taking into account the above, it is not considered that the proposal would be obtrusive in the street scene, nor would it be out of keeping with the surrounding residential area.

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 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

STRUCTURE PLAN: LOC1, DEV1, CH1

LOCAL PLAN: GEN2, 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.