Report of the meeting of the Development Control Post-Committee Site Inspection Panel held on 13-OCT-2009

REF NO: **A/78/09/**

LOCATION: 101 Lloyd Goring Close & land to rear
of 7-15 Lansdowne Way
Angmering

PROPOSAL: Terrace of 4 no. 2 bed houses - resubmission following A/75/08/

Present:- Councillors Mr Haymes (Chairman), Biss, Butler, Mrs Goad, Mrs Hall
Councillor Mountain on behalf of Angmering Parish Council

Apologies for absence:- Councillors Mrs Stainton and Evans

The Site Inspection Panel assessed the planning merits of the site in detail, and

RECOMMEND

That the application as attached be accepted and the development be conditionally approved.

REPORT UPDATE

Application No: A/78/09/

Reason for the Update / Changes

Reason for Update/Changes: In accordance with government legislation an additional condition is proposed detailing the approved plans

Officers Comment: None

Note: The changes to recommendation, conditions and/or reasons show under Officers Recommendation at the end of the attached report.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

A/78/09/

PLANNING APPLICATION REPORT

REF NO: **A/78/09/**

LOCATION: 101 Lloyd Goring Close & land to rear of 7-15 Lansdowne Way Angmering

PROPOSAL: Terrace of 4 no. 2 bed houses - resubmission following A/75/08/

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application comprises a terrace of two storey development of two-bed houses. Four parking spaces are provided to serve the four dwellings and cycle parking would be at a ratio of two spaces per dwelling. Elevations would comprise stock brick at ground floor, tile hung at first floor and a tiled roof.
SITE AREA	0.06 hectares
RESIDENTIAL DEVELOPMENT DEN	67 dwellings per hectare
TOPOGRAPHY	Predominantly flat. Application site approx., 300 mm higher than land to Lansdowne Way.
TREES	None of any significance affected by the proposed development.

BOUNDARY TREATMENT	1.8m close boarded fence to footpath and entrance to garage compound. 1.6m close boarded fence to side of No.99 Lloyd Goring Close. Rear to No.7 Lansdowne Way concrete single storey prefab building on boundary. To No. 9 rear boundary Leylandii and close boarded fencing to 2.5m Rear of No.15 close boarded fencing 1.8m high.
SITE CHARACTERISTICS	Properties in Lloyd Goring Close two storey semi detached, some of which are sited very close to neighbouring pairs of semi detached properties which visually read as terrace properties and also to rear of site in Lansdowne Way. Overgrown land fenced off to rear of garden to No. 101, formerly part of garden. Rest of site redundant glasshouses - former nursery use.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly two storey properties of similar design and date in Lloyd Goring Close. Less uniform in Lansdowne Way.

RELEVANT SITE HISTORY

A/93/07/	Single detached dwelling house	Withdrawn 05-09-2007
A/75/08/	Application for outline planning permission for 1 no. pair of 3 bed s/detached houses and terrace of 3 no. 2 bed houses.	Refused 12-08-2008

REPRESENTATIONS

Representations received:

Angmering Parish Council

Objection on the grounds of over development of site due to the number of properties proposed and the effects on the area with regard to parking, traffic and overlooking neighbours. Orientation would cause overlooking, previous proposal was better in this respect. Terrace of 3 would be better and allow more space for parking, etc.

13 letters of objection - Adverse effect on safety to the public using the public footpath between Landsdowne Way and Lloyd Goring Close which is used by school children.

Both construction traffic and resident traffic will emerge behind the garage compound and the car park.
Disappointed this has been resubmitted with no amendments.
Loss of outlook to adjoining property.
Devaluation of property.
Would attract young residents in an area occupied by retired. Noise levels would increase.
Where would builder's vehicles park during construction?
Inadequate car parking. Residents already have problems parking outside their houses.
Local schools are already at full capacity.

Loss of light to neighbour's conservatory, bedroom and lounge windows.
Site should be tided up and not have development crammed into it.
Windows would look directly into garden. Loss of privacy to bedrooms.
Car parking too close to neighbour's conservatory. Unacceptable noise and pollution to adjoining garden.
Garage compound is not an access road.

Comments on Representations received:

Rights of access from compound are a private matter. Devaluation of property is not a material planning consideration.

County Highways has no objection to the proposal.

Proposal has amended earlier refused proposal. One dwelling has been omitted and the orientation of the buildings has been amended. Given the distances involved no material loss of privacy would result from first floor windows. Parking adjacent to rear boundary of No.99 is only next to one side boundary, it does not surround the rear garden.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

Head of Highways and Transport

Comments on Consultation responses:

County Highways - No objection. Proposal does not exceed parking standards. Area of hardstanding is adequate. Cycle parking should be at a ratio of one space per bedroom. No significant highway safety issues are anticipated. In terms of transport, site is in a sustainable location. Informative and condition suggested.

POLICY CONTEXT

Designation applicable to site:

Within built up are boundary
Adjacent to public right of way.

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPH1	Regional Housing Provision 2006-2026
Arun District Local Plan:	GEN7	The Form of New Development
	GEN2	Built-up Area Boundary

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
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 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 boundary where residential development is acceptable in principle subject to normal development control criteria being met.

VISUAL AMENITY
The site lies in an area characterised by 2-storey properties. Lloyd Goring Close has a mix of semi-detached and terraced properties. The proposal would therefore be in keeping with the existing scale of development. The density would be higher than other plots in the vicinity, but this would not adversely affect the character of the area. The proposal would not appear cramped. Space would be retained to side boundaries.

RESIDENTIAL AMENITY
The proposed dwellings would be located on the rear boundary with Nos. 15 to 9 Lansdowne Way. The dwellings would be located between 7.5m and 8.5m from the rear boundaries and 35.5m would be provided between the new properties and the existing. These distances are considered acceptable to ensure no adverse overbearing or overlooking would result to these properties.

The most easterly unit (No.1) would be 4m from the rear/side boundary with No.99 and 14m from the rear boundary of No.101. These distances would be satisfactory to ensure no materially adverse effects would result to the property in terms of overlooking or overbearing effects.

Unit No.1 would have a secondary staircase window at first floor facing onto the rear garden of No.17. Whilst the potential for direct overlooking would be low, it is proposed to condition this window is obscure glazed to protect the privacy of Nos. 17 Lansdowne Way and 99 Lloyd Goring Close.

Parking and turning would take place to the rear of 101 Lloyd Goring Close and adjacent to the rear side boundary of No.99. Subject to adequate boundary screening in this location, vehicle movements in this vicinity would not cause material harm to residential amenity from noise.

SUMMARY
It is therefore considered that the proposal is acceptable in terms of visual and residential amenity

and the character of the area and the proposal is 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 The buildings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed and the cycle stores (indicated on the drawing submitted on 27-07-2009) have been provided. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles and storage of bicycles.

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.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity 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 until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

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

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 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the east elevation of the building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

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

7 The first floor window on the east elevation of the building shall at all times be glazed with obscured glass.

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

8 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) 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.

9 This permission relates to the following approved plans 08/3443/4 and cycle store plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of 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

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.

11 INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials

as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.