

PLANNING APPLICATION REPORT**REF NO:** **A/84/11/****LOCATION:** R/O Phares Courtledge, adj. to BMW Hou:
High Street/Water Lane
Angmering**PROPOSAL:** Partial change of use of existing residential garden of Phares Courtledge to provide supplementary car parking to adjoining car dealership.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The area of land is to the rear of the residential property Phares Courtledge with the proposed parking area adjoining the existing parking and hard-standing to the side of BMW House. The application is being considered retrospectively as the change of use has been carried out without prior approval.
SITE AREA	Approx. 587sqm.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Mature hedging and trees enclosing front garden area of site. Brick and flint walling and timber fencing enclosing rear, approximately 1.8m in height. Sections of which have been removed.
SITE CHARACTERISTICS	The application site is occupied by a detached residential dwelling which has been linked with the adjoining BMW show room, garaging and servicing facility. The front garden area faces onto Angmering Village square with a short rear garden which adjoins BMW's site.
CHARACTER OF LOCALITY	Angmering Village Centre, mix of residential and commercial properties, mix of historic and modern buildings which provides a sense of enclosure of the village centre.

RELEVANT SITE HISTORY

A/6/05/	Provision of off-street parking for one vehicle	Approve Cond 18-02-2005
A/193/06/CA	Application for Conservation Area Consent for demolition of existing house.	Approve Cond 22-02-2007

A/192/06/	Demolition of existing house and construction of 3 linked houses with ancillary parking	Approve Cond 23-02-2007
A/162/07/	After demolition of existing house, change of use to temporary vehicle storage & car parking for chandlers use only, not for public purposes.	Refused 24-12-2007 Appeal: Dismissed 17 11 2008
A/11/10/	Renewal of unimplemented planning permission A/192/06 for demolition of existing house and construction of 3 linked houses with ancillary parking.	Approve Cond 15-03-2010
A/13/10/CA	Renewal of unimplemented Conservation Area Consent, A/193/06/CA. for demolition of existing house	Approve Cond 23-04-2010

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection:

2 letters of objection:

- Erosion of the site nullifies the viability of the redevelopment application which was previously supported as well as any renovation of the existing dwelling.
- Application is inappropriate for highly visible location in the village Conservation Area, particularly given that the applicant is alleged to be actively considering relocation.
- The redevelopment prospect would be jeopardised for a short term commercial benefit.
- Development would neither improve or enhance the visual amenities of the Conservation Area.
- 'Watered down' version of an earlier refused application and dismissed appeal.

Comments on Representations received:

Parish Council response is noted.

Comments on Letters of Objection:

It is considered appropriate to allow a temporary permission to ensure that any future redevelopment of the site would be achieved and the private amenity of any future occupants of Phares Courtledge would be retained. The site is located to the rear of Phares Courtledge and therefore not readily visible from the Village Square, thereby having a neutral impact upon the Conservation Area.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary
Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7 AREA2	The Form of New Development Conservation Areas
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PLANNING POLICY GUIDANCE

PPS1 PPS5	Delivering Sustainable Development Planning for the Historic Environment
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POLICY COMMENTARY

PLANNING

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

PLANNING

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 application seeks permission retrospectively for the partial change of use of garden land to the rear of Phares Courtledge to car parking, supplementing that existing at BMW House adjoining the rear of the residential site.

The proposal would result in the loss of part of the rear amenity area of 'Phares Courtledge' which is a private residential dwelling, currently under the ownership of the adjoining BMW site. At present the dwelling does not appear to be occupied. The 'Phares Courtledge' site has been subject to planning approvals for its redevelopment with 3No. replacement dwellings and parking to the front of the site, accessed from 'High Street'. Also planning permission has been refused for the demolition of the existing dwelling to be replaced with further parking for the adjoining garage and showrooms.

As the existing dwelling is not occupied, the loss of garden land maybe considered to be

acceptable for a temporary period, however a permanent permission would be detrimental to the private amenity of any future occupants of the residential site. It is therefore considered more appropriate to allow a temporary planning permission for the change of use for 2 years, in order for the occupants to find a more permanent and acceptable solution for the storage of vehicles relating to the site.

The proposed car parking area is sited to the rear of the dwelling at Phares Courtledge, as such the site is not readily visible from 'High Street' to the south-west or 'Water Lane' to the north-west. The existing flint boundary wall to the side of 'Phares Courtledge' would also be maintained. The proposal is therefore considered to be acceptable from a visual amenity point of view as it is considered to have a neutral affect on the Conservation Area.

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

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The change of use and hard standing hereby permitted shall be removed and the land restored to its former condition as garden land, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 1st October 2013.

Reasons: To protect the private amenities of future occupants of Phares Courtledge and in order not to prejudice consideration for future proposals for the site.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

1:1250 Location Plan; 1:500 Block Plan; Drawing No.s 06.647.1 Rev A and 06.647.1 Rev B.

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 car parking area hereby permitted shall only be used as a supplementary parking area for the adjoining garage use and for no other purpose.

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

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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, AREA2

NATIONAL POLICIES: PPS1, PPS5

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.