

Recommendation Report for Planning Permission

REF NO: BN/88/21/PL

LOCATION: Copsefield
Eastergate Lane
Eastergate
PO20 3SJ

PROPOSAL: Variation of condition 2 imposed under EG/50/16/PL relating to approved plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to vary the plans conditions as approved under EG/50/16/PL.
SITE CHARACTERISTICS	The site comprises of a large detached house (Copsefield) with an attached triple garage. The existing house is predominantly two storeys.
CHARACTER OF LOCALITY	Although there is an established residential presence on both sides of Eastergate Lane, the area is considered to be largely rural in character.

RELEVANT SITE HISTORY

BN/94/19/DOC	Approval of details reserved by condition imposed under ref EG/50/16/PL relating to Condition No 8 - scheme of supervision for arboricultural protection	DOC Approved 19-11-19
BN/83/19/DOC	Approval of details reserved by condition imposed under EG/50/16/PL relating to condition 4-details of surface water drainage scheme.	DOC Approved 21-11-19
EG/50/16/PL	1 No. dwelling with access from The Drive & conversion of 2 No. dwellings into 1 No. dwelling including side & rear extensions & detached garage. This application is a Departure from the Development Plan.	ApproveConditionally 22-11-16

Noted. The permission which the application seeks to vary was approved in 2016.

REPRESENTATIONS

Barnham and Eastergate provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Outside the built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH1](#) Built up area boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan..

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area boundary. The application seeks to vary permission which has already been gained on the site and therefore the principle of development is already established and is considered acceptable and as such will be assessed against relevant development plan policies which include D DM1 and D DM4 of the Arun Local Plan.

Aldinbourne has a made Neighbourhood Plan with EH1 of relevance to the application. This states proposals in the BUAB will be acceptable. The site falls outside the BUAB and therefore does not comply with this however the application seeks to amends an existing permission and the principle of development has already been established and is considered acceptable.

DESIGN AND VISUAL AMENITY

The proposal seek to vary plans which were approved under EG/50/16/PL.

There are minor alterations involving the removal of a rear dormer and the addition of a porch however the main alteration proposed is to the garage which was approved as a detached double garage with a pitched roof. This has however remained attached to the main dwelling and now forms a triple garage with a lower pitched roof.

A structure was already in existence and the previous proposal sought to detach it from the main building and increase its distance from boundary to the east. However the location of the garage was kept the same the existing structure and its siting is considered acceptable.

The garage is well integrated, joining with the host dwelling, similar to the original garage that was in existence. There is sufficient screening along the front boundary which consists of a high level hedge and therefore views from the street scene are largely restricted.

Section M of the Arun Design Guide states 'development should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing.' It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling and complies with the guide.

The porch has a depth of 2m with a further 1m forming a canopy. It has a pitched roof and is integrated

with the host dwelling. 16m is retained to the boundary and is therefore considered acceptable.

The changes proposed are not considered to result in harm upon the street scene or wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The garage has been slightly lowered in height than the garage as approved under EG/50/16/PL by approximately 0.85m, however the width has increased. The distance to the boundary has however remained the same.

There is an access road to the eastern side of the property. This ensures separation is retained between the development and neighbouring property at the Cottage and as such alterations do not appear adversely overbearing or overshadowing. There is also planting along the boundary to further screen.

There are additional windows however these are to the ground floor level and will provide views of the garden of the host dwelling. Being located to the eastern side of the property, there is no impact upon the neighbours to the west.

The alterations proposed do not result in adverse harm upon amenity and accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

It is recommended that planning permission be granted in accordance with the following conditions and informatives. It should be noted that these conditions reflect those attached to EG/50/16/PL and have been updated to reflect the development plan and the current proposed plans.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans
 - Site Plan as proposed Rev C
 - West Elevation as proposed - Rev C
 - East Elevation as proposed - Rev E
 - South Elevation as proposed- Rev C
 - North Elevation as proposed - Rev D
 - Proposed Ground Floor Plan - Rev B
 - Proposed First Floor Plan - Rev C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 **INFORMATIVE:** For the avoidance of doubt only condition 2 attached to EG/50/16/PL has been amended by this permission. All other conditions attached to EG/50/16/PL are required to be adhered to.