

PLANNING APPLICATION REPORT

REF NO: EG/30/08/

LOCATION: Maple Cottage
Fontwell Avenue
Eastergate

PROPOSAL: Garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed garage will be approximately 7 metres in length by 6 metres in width and 5.6 metres in height.
SITE AREA	Approximately 1063 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are small trees and shrubbery currently growing roughly where the garage will be positioned in the rear garden.
BOUNDARY TREATMENT	The rear garden is enclosed by approximately 1.8 metre high timber closed board fencing which is fronted in most places by approximately 2 metre high hedging.
SITE CHARACTERISTICS	The site is occupied by a detached two storey dwelling which has painted brick outer elevations and a gable roof with clay tile surfacing. There is a single storey gable roof extension to the rear of the original building and this in turn has a conservatory attached to it. There is a surfaced drive to the north of the site which passes alongside the main building and opens out to a hard surfaced parking area to the rear.
CHARACTER OF LOCALITY	The site is located on the side of a main road which is outside of the built-up area although locally there is a number of detached two storey dwellings on the eastern side of the road with further residential development behind. There are open fields to the west.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:
Eastergate Parish Council

Awaited

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside Built-Up Area

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC2	The Countryside
	DEV1	High Quality Development
Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas

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

The proposed structure will be situated to the rear of the existing building and will not be as great in height. It projects further to the north than the existing building and therefore it may

have a slight visual presence on the street scene but as it will be set back approximately 33.5 metres from the road it is not considered that this will be imposing. It is therefore considered that the proposal will not conflict with the character and appearance of the surrounding area by leading to a visible increase in the built area.

It is considered that the proposed garage will relate sympathetically towards the existing building in terms of design and scale. The dimensions of the free-standing building will be smaller than those of the existing building and as such it is considered that the proposal will appear visually subservient when seen in context with the existing building. It is considered that the gabled roof of the structure will compliment that of the main building. Due to the size of the garage and the fact that it is free-standing it is considered to be reasonable to attach a condition to prevent it being used for any purposes other than those incidental to the occupation and enjoyment of the existing dwelling in order to prevent over-intensive use of the site.

The proposed garage will be sited within approximately 1 metre of the northern boundary of the height and will be over 4 metres in height. However the gable roof of the proposal will pitch steeply away from the neighbouring property to the north and the lower parts of the structure will be adequately screened by the boundary treatment on site. Owing to this, it is considered that there will be no unacceptable overbearing impact or increase in overshadowing towards the neighbouring property to the proposal despite its close proximity.

The proposed garage will have a loft above within the roof gables and there will be windows facing west and east. It is not considered that these windows will offer a demonstrable level of overlooking towards neighbouring properties as the west facing window will look towards the existing dwelling and the east facing towards the far end of the rear garden which will be some 33 metres away. There will be rooflights on the southern roofslope facing towards the neighbouring property, however, there is a distance of approximately 10 metres between the proposal and the neighbour and the rooflights will be angled upwards which will prevent a direct line of sight towards the neighbouring property.

Due to the proximity of the northern roofslope to the neighbouring property in that direction it is considered responsible to impose a condition requiring prior consent from the Local Planning Authority for any openings to be made in the northern roofslope in order to safeguard the privacy of the neighbouring property.

It is therefore recommended that this application is approved, subject to the conditions set out overleaf.

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 garage hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Maple Cottage, Fontwell Lane, Eastergate as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings shall be formed in the northern roof slope of the building 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 policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

4 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: LOC2, DEV1

LOCAL PLAN: GEN3, GEN7

NATIONAL POLICIES: PPS1, PPS7

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