

PLANNING APPLICATION REPORT**REF NO:** EG/39/08/**LOCATION:** Commercial House
Fontwell Avenue
Eastergate**PROPOSAL:** Approval of reserved matters (appearance & landscape) following outline permission EG/9/07 for the redevelopment of existing office building & builders yard with 6no. apartments with parking**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

Approval of reserved matters for the redevelopment of existing office building and business yard with 6 No. apartments with parking. Reserved matters to be approved as are appearance and landscaping. Layout, scale and means of access were matters approved under outline planning permission EG/9/07.

The appearance matter shows a part two and half storey designed building and part 2 storey with central ground floor access leading to car parking to rear.

Roof to be clad with plain tiles. Dormers along with part of first floor and bay windows to be clad in tiles. The walls are to be constructed in brown/red multi-stock bricks.

SITE AREA

0.064 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

1.8m timber fencing along side of boundaries of site. Conifer hedge to eastern boundary.

SITE CHARACTERISTICS

Two storey office building with parking areas in front.

CHARACTER OF LOCALITY

To the north of the site are existing two storey semi detached dwellings, known as Woodland Villas and these properties are separated from the site by a public footpath running in an east west direction.

To the south of the site is a property known as Hunters Chase a two storey dwelling with planning permission for change of use to holiday accommodation. Behind the site and to the east is a recently constructed housing development comprising two and half storeys.

RELEVANT SITE HISTORY

The principle of development has been accepted on this site through the granting of outline planning permission EG/9/07. As layout, scale and means of access were approved under the outline planning permission. These matters have also been approved.

REPRESENTATIONS

Representations received:

Eastergate Parish Council

Eastergate Parish Council: Views awaited

One letter of objection raising the following main points

amount of cars parking, turning and coming on and off the A29 would cause great concern especially with Level Mare Lane being situated opposite the site.

only support this development if the speed limit was reduced from 40 mph to 30 mph.

Comments on Representations received:

Concerns about the amount of parking, turning and coming on and off the A29 are noted. However the principle of development has been accepted through the granting of outline planning permission which County Highways raised no objection to.

CONSULTATIONS

Head of Highways and Transport

Consultations responses received:

County Highways - comments were made on EG/9/07 where an objection was raised to the earlier outline approval subject to various conditions. Given the current reserved matters application seeking approval of landscaping and appearance, there would appear to be no highway access issues; consequently, no highway objection would be raised. The applicant should be reminded of their obligation to close the existing lay-by as part of a S278 agreement and the provision of replacement parking spaces at the junction of the A29/Level Mare Road which are required under condition as part of the outline approval.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Outside built-up area

Class A Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC2	The Countryside
	CH1	Character
	DEV1	High Quality Development
	DEV5	Parking Provision
	ERA1	Making the best use of land
Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable development in rural areas
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

The principle of development has been accepted on this site through the granting of outline planning permission EG/9/07. As layout, scale and means of access were approved under this outline planning permission. Therefore, the layout of the site with car parking to the rear and part to the front has been accepted along with the footprint of block of apartments. The scale varying in height from two and half storey from 9 metres to two storeys 8 metres and access from Fontwell Avenue has also been accepted.

The reserved matters considered here are appearance and landscaping.

In appearance terms the front of the apartment building is designed with bay windows, step backs, balcony and projections and varied roof forms including dormers to produce an articulated and attractive frontage with plenty of shadow lines. Use of quality materials will assist with this. Although the other elevations are plainer, they are considered to be in keeping with character and appearance of the area. Side windows are shown at first floor and it is proposed to obscure glaze the windows facing south towards Hunters Choice. The window to the rear face the houses to the rear and their gardens. No adverse overlooking or overbearing impact is considered to occur by reason of the separation distance involved.

Comprehensive hard and soft landscaping is shown along the frontage and subject to further details that is considered acceptable.

The proposal is therefore considered to be in keeping with the character and appearance of the area, and does not result in adverse impact on the amenities of residents.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed building 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 visual amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 2 The first floor windows on the south elevation of the building shall at all times be glazed with obscured glass fixed to be permanently non-opening below 1.7 metres above the floor of the room in which the window is installed.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 3 **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 CH1 DEV1 DEV5 ERA1

LOCAL PLAN: GEN3 GEN7 GEN12

NATIONAL POLICIES: PPS1 PPS3 PPS7 PPG13

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

- 4 INFORMATIVE: The works to the highway involving the new access and the closure of the layby shall be carried out prior to the first occupation of the flats hereby permitted. These works shall be carried out and constructed to a specification to be agreed with West Sussex County Council. The completion of an agreement under the provisions of S278 of the Highways Act 1980 is required between the Developer and the West Sussex County Council as highway authority. Details of the specification may be obtained from the Area Highway Engineer, Southern Area Office, West Sussex County Council, Clapham Common, Clapham, Worthing, West Sussex. BN13 3UR. Telephone:01903-878500.
- 5 INFORMATIVE: The applicant is reminded that condition 5 of EG/9/07 requires that no work shall be undertaken until such time as a plan and specification have been submitted to and approved in writing by the Local Planning Authority showing the re-creation of car parking spaces at the junction of Level Mare Lane and Fontwell Avenue. The approved details shall be fully implemented before the first occupation of any of the flats hereby permitted.