

EG/79/07**PLANNING APPLICATIONS REPORT**

DESCRIPTION/ ADDRESS	- Proposed new dwelling & garage – This application is a departure from the development plan Lyndhurst Eastergate Lane Eastergate
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Erection of 1 x two-storey property and garage building
SITE AREA	0.0258 hectares approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	38 dwellings per hectare
TOPOGRAPHY	Predominately flat
TREES	Number to be removed to implement proposal
BOUNDARY TREATMENT	Mixture of hedging and fence
SITE CHARACTERISTICS	Parcel of land covered in substantial vegetation
CHARACTER OF LOCALITY	Rural. Isolated buildings. Farm and shrub land surrounds

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
EG/58/78	Vehicular access	Refuse 12-07-1978
EG/52/88	Demolition of garage and outbuildings, erection of extension and alterations	Approved Conditionally 20-06-1988
EG/62/07	New drop kerb for access to site	Refused 26-10-2007

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Eastergate Parish Council	Objection on grounds that appears to be backland infill, over-intensive use of land and out of keeping with area. Recent application for vehicular access onto Fontwell Avenue refused. Council expresses concern that it is not possible to fully consider application without detailed plans and plans submitted with application are insufficient
LOCAL GROUPS	None
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No apparent visibility issue at point of access onto Eastergate

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Lane. Developments of this type unlikely to result in increased access or safety concerns. As egress from proposed garage is to southeast, existing driveway of Lyndhurst will be used for purposes of both houses. As long as this is case, no highway objection raised

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Class C Road Class A Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC2, DEV1, DEV5, CH1 Arun District Local Plan: GEN3, GEN7, GEN12
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PLANNING POLICY GUIDANCE

PPS1:	Delivering sustainable development
PPS3:	Housing
PPS7:	Sustainable Development in the 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 in the rural locality, and parking provision.

COMMENT ON CONSULTATION RESPONSES

Noted. No altered or new highway access is proposed

COMMENT ON REPRESENTATIONS RECEIVED

Noted. The proposal is not back land development in its absolute sense. The amenity land provided to both the existing and proposed dwelling houses is sufficiently comparable to those surrounding so as not, in regard to this aspect alone, to be out of keeping with the rural locality. No altered or new highway access is proposed. The plans submitted are sufficient to validate the application.
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ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to</i>

EG/79/07**ASSESSMENT OF PROPOSAL****DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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 conflict with relevant Development Plan policies in that the erection of an additional private residential property is contrary to the criteria of acceptable development in the rural locality.

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

Sufficient distance is retained between the proposed dwelling (and garage) and neighbouring land uses so as to avoid adverse impact on amenity. The site also exhibits the potential for off-street parking to comply with parking standards. However the site is situated outside of the Built-Up Area Boundary (it is countryside) and therefore the erection of an additional private residential property is, in principle, contrary to the criteria of acceptable development in the rural locality. Approval of the proposal would also have a detrimental impact upon the visual amenities of the area; as proposed, the proposed dwelling and garage designs and siting would result an intrusive domesticated aspect in a visually prominent plot that is otherwise relatively open and rural in character, with substantial natural vegetation. It is therefore recommended that the planning application should be refused, subject to the reasons set out overleaf.

RECOMMENDATION

TOWN AND COUNTRY PLANNING ACT 1990



Application Ref: EG/79/07/

RECOMMENDATION

1 To Addressee

2 Site Address

Lyndhurst
Eastergate Lane
Eastergate
PO20 3SJ

3 Description of Development

Proposed new dwelling & garage - This application is a departure from the development plan.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council REFUSE to approve the development as described in the application and plan for the reasons stated.

RECOMMENDATION

- REASON 1** The site lies in a rural area and the proposal, being unrelated to the needs of agriculture, forestry, recreation, the extraction of minerals or disposal of waste, conflicts with policy LOC2 of the West Sussex Structure Plan and GEN2, GEN3 of the Arun District Local Plan which seeks to protect the countryside, and ensure that the amount of land taken for development is kept to a minimum, consistent with the provision of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- REASON 2** The proposal is unacceptable in that it has not been demonstrated that there is an overriding and essential need for the dwelling to be located in the countryside. The proposal therefore conflicts with policies LOC2 of the West Sussex Structure Plan and GEN2, GEN3 of the Arun District Local Plan.
- REASON 3** The proposal would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality in conflict with policies LOC2 of the West Sussex Structure Plan and GEN2, GEN3, GEN7 of the Arun District Local Plan.

Head of Planning Services
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The Arun Civic Centre
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Littlehampton
West Sussex BN17 5LF

Case Officer: Mr M Porter

4th January 2008

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT