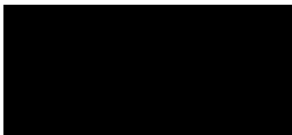


christopher dench
crinnis house
seafield road
angmering on sea
west sussex
bn16 1na



October 31, 2011

Mr N Antoniou
Planning Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Dear Mr Antoniou

PROPOSED DEVELOPMENT CRINNIS HOUSE SEAFIELD ROAD EAST PRESTON WEST SUSSEX BN16 1NA

I intend to submit a planning application for the erection of a sustainable, carbon efficient dwelling on my land adjoining Sea Road East Preston. The proposal will be a redesign of EP/123/10 which was ultimately refused under delegated powers on 24th December 2010 following an apparently positive reaction throughout the planning process.

At the time, I considered launching an appeal against the decision but, on balance felt that conciliation and compromise could provide a better conclusion for all concerned.

To this end, I have now produced a revised proposal taking into account recommendations made by your department and hopefully now addressing the previous reasons for refusal, whilst keeping it in context and sympathy with the adjacent existing and impending developments.

I hope to finalise the revised application very soon but prior to submission, I would very much welcome the opportunity to discuss the proposal with you, either on site or at your office.

In conclusion I would just like to add that I am a long term resident of East Preston with very strong and continuing family and emotional ties to the village, so that said, I would not wish to do anything to the detriment of the locality.

I look forward to your reply.

Yours sincerely



Christopher Dench

PROPOSED DEVELOPMENT CRINNIS HOUSE SEAFIELD ROAD EAST PRESTON WEST SUSSEX BN16 1NA

General Proposal

Erection of a single sustainable carbon efficient dwelling with parking on land to the east of Crinnis House in Sea Road, East Preston.

The proposal is a redesign of EP/123/10 which was refused planning under delegated powers on 24th December 2010. The redesign addresses the original concerns identified by planning application report EP/123/10 and subsequent site meetings with Arun planning officers, and in particular to the re-siting of the new property away from the eastern boundary to the highway. Furthermore the redesign ensures the proposed dwelling responds more appropriately to the established character of the area and acknowledges and enhances local distinctiveness as established by the nearby architecture.

The proposal is to erect a single dwelling approximately 125sqm in floor area comprising a living room, master bedroom with en-suite facility, home office and terrace on the first floor; the kitchen dining area, 2 bedrooms with en-suite facilities, utility room and separate WC are on the ground floor.

The proposed dwelling is approximately 6.5metres in width by 12.5metres in depth, 6.9metres to the ridge and 3.5metres to the roadside eaves. The scale of the proposed site and dwelling is characteristic of and directly comparable with all other recent and impending development in the locality and therefore, for that reason, it is not thought to constitute a cramped form of development.

The proposed site is approximately .025 hectare alongside and parallel to Sea Road. It is comprised of the unused overgrown driveway plus a small section of Crinnis House garden. Following the proposed development Crinnis House will still retain more amenity space than most other comparable properties in Seafeld Road.

The proposed dwelling is designed to be a very low-energy carbon efficient home that reduces heating requirements and Co2 emissions to a minimum compared to a conventional UK 'standard' new-build house. Maximum energy efficiency is achieved by a "green" Modern Method of Construction using materials that will last the life of the building and can then be recycled for ongoing sustainability.

Other conservation features include rainwater harvesting, airtight construction, and a heat recovery ventilation system all of which result in a design that reflects conscious and responsible environmental forethought, geothermal heating and ventilation are planned should groundwork permit.

The redesign prevents any material loss of privacy or neighbourly impact the proposed house might have. The first floor element of the dwelling to the west has no windows and those in the stairwell to the east are of obscured non-opening glass and, if approved, will be partly concealed behind external louvers to avoid any concerns regarding overlooking.

The proposed development retains all relevant features such as the existing low flint wall alongside Sea Road, trees and hedging will be retained where possible and new planting introduced to retain the local character.

The objective is to ensure the proposed dwelling is a sustainable home with low running costs utilizing the best affordable technology available today for a responsible and sustainable way of living whilst respecting completely local character and values and to remain in keeping with established recent and impending development in the locality.

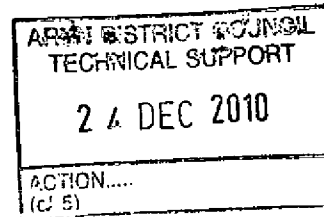
In conclusion, I would like to add that I am a long term resident of East Preston with very strong and continuing family and emotional ties to the village; the proposed dwelling is intended for my private family use, so that said, I would not wish to do anything to the detriment of the locality and would welcome your comments and recommendations to that end.

Filing

David Reeves
124, Sea Road
East Preston
West Sussex
BN16 1NN

Mr J Smith
Planning Officer
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

21st December 2010



ACK

Dear Sir

Re: Planning application EP/123/10/

I am writing to support the above application to build a sustainable dwelling at Crinnis House, Seafeld Road, East Preston.

I have been resident in East Preston for over thirty years and want to ensure the village does not lose its distinctive character and having viewed the plans for the proposed property I think it will add to the character of the area and will be in keeping with other properties around it, both new and old.

Yours sincerely

A black rectangular box redacting the signature of David Reeves.

D Reeves

David Easton

From: Sue Bowley on behalf of Planning

Sent: 24 December 2010 11:45

To: Planning.Responses

Subject: FW: Planning Application EP/123/10

Attachments: Doc1.doc

From: Andrew.Standing@sussex.pnn.police.uk [REDACTED]

Sent: 24 December 2010 11:09

To: Planning

Subject: Planning Application EP/123/10

<<Doc1.doc>>

Dear Planning office,

Please find attached a support letter for application EP/123/10.

Many thanks,

Andy

PS Standing
C Section,
NRT,
Brighton.

Andrew Standing.
2 Coastguard Cottages,
South Strand,
East Preston,
BN16 1PA

Ref:- Planning application for dwelling. EP/123/10

Dear Planning Office,

I am writing in support of the above application, which is the building of a dwelling at Crinnis House, Seafield Road, East Preston.

I have been a resident of East Preston for the past four years and in that time I have seen many changes in and around the village. As a resident of the village I take a keen interest in any changes that occur and as a result I have viewed the plans on the website and feel that this dwelling will not only enhance the local area and is in keeping with the feel of the village.

The village has many properties that differ in style from new to old which all add character to East Preston and the plans for this dwelling are no different.

I feel that plans for the property are well presented and the development will tidy Sea Road and make this more appealing for visitors to the area.

If you have any questions about my support for this application then please do not hesitate to contact me.

Yours Sincerely

Andrew Standing.

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning

Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).

Recommendation Report

Application No. _____

EP/123/10

Committee ☐ - Date _____

Delegated ☒

	Date	Signature
Prepared by Case Officer	23/12	
Agreed by Team Leader	24-12-10	
Agreed by H.O.P.S. / P.C.M. (if required)		
O.S. Extract requested		

Comments:



Appeal Decision

Hearing held on 8 May 2002

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Date 23 MAY 2002

Appeal A: APP/C3810/A/01/1080151 129 Sea Road, East Preston

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by A.C.Crowley Esq. against the decision of Arun District Council.
- The application (Ref.EP/53/01), dated 21 May 2001, was refused by notice dated 31 July 2001.
- The development proposed is erection of cottage to replace existing windsurfing school and approved garage (revision to EP/86/00).

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Appeal B: APP/C3810/A/02/1085217 129 Sea Road, East Preston

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by A.C.Crowley Esq. against the decision of Arun District Council.
- The application (Ref.EP/135/01), dated 21 November 2001, was refused by notice dated 19 February 2002.
- The development proposed is erection of cottage to replace existing windsurfing school and approved garage (revision to EP/53/01).

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. At the Hearing an application for costs was made by A.C.Crowley Esq. against Arun District Council. This application is the subject of a separate Decision.
2. Both the Council and the appellant confirmed at the Hearing that all of the matters dealt with in their statements for Appeal B apply equally to Appeal A. From my reading of the information provided I consider that the two proposals differ only in matters of detailed design, to which the Council has not objected. On this basis I am satisfied that the main issues for both of these appeals are the same and I will therefore deal with them together.

Main Issues

3. I consider that the main issues in this case are:
 - (i) the effect of the proposed development on the character and appearance of the surrounding area; and
 - (ii) the effect of the proposed development on the living conditions of the occupants of adjacent properties, with particular regard to overlooking and overshadowing.

Planning Policy

4. The development plan for the area includes the West Sussex Structure Plan 1993 and the Arun District Plan 1993 and I consider that Structure Plan Policy G5 and Local Plan Policies EVT7 and HSG5 are relevant to these appeals.
5. Structure Plan Policy G5 deals with design and the impact of development and sets out a number of requirements that development should meet. These include (3), which is that it should be in scale with its surroundings and (5), that it should relate sympathetically with the existing built and natural environment.
6. Local Plan Policy EVT7 sets out general criteria for development. Criterion (i) includes the requirement that there should be no materially adverse effect on the amenity or character of the area. Local Plan HSG5 sets out criteria for residential development on small sites. Criterion (ii) is that the scale, character and form of the proposed development reflects that of the general locality and its height is not significantly different from that of the surrounding development.
7. My attention has also been drawn to a number of policies in the West Sussex Structure Plan 2001-2016 Deposit Draft and the Arun District Local Plan Second Review Revised Deposit Draft. Those that I consider particularly relevant to these appeals are emerging Structure Plan Policy DEV1 and emerging Local Plan POLICY AREA1.
8. Policy DEV1 of the emerging Structure Plan states that development should not be permitted unless the construction, layout, scale, appearance and landscaping are of high quality. It lists a number of matters that should be taken into account, including the need to have regard to the local context. I will attach appropriate weight to this policy to reflect the stage that the emerging Structure Plan has reached in the development plan process.
9. POLICY AREA1 of the emerging Local Plan refers to Areas of Special Character defined on the proposals map. It seeks to protect the character of these areas, particularly with regard to the characteristics included in the descriptions for each area given in supplementary planning guidance. The emerging supplementary planning guidance document describes the area around the appeal site as having a character that derives from the predominance of dwellings of distinctly individual and good design. It also refers to the narrowness of Sea Road and the strong sense of enclosure from boundary hedging and flint walling, which it identifies as important features in the street scene. I will attach weight to this policy to reflect the fact that the emerging Local Plan has been the subject of a Local Plan Inquiry and is at an advanced stage in the development plan process.

Reasons

Character and appearance

10. The appeal site is situated in an attractive residential area which lies between a small shopping area to the north and the sea front to the south. The area to the west of Sea Road comprises predominantly large, detached houses or flats, most of which are set in substantial grounds, creating an open and spacious appearance. In contrast, the area to the east of Sea Road has a more intimate, tight knit character, with narrow roads and driveways and more closely grouped clusters and terraces of smaller dwellings, such as the attractive Palm Court and Coastguard Cottages.

11. The site is a long, narrow strip of land situated alongside Sea Road, adjacent to the entrance to the Seaview Hotel. I observed that although it is set alone rather than being part of a terrace, its size and shape are similar to those of many of the existing residential plots in the area to the east of Sea Road. Thus, whilst the site has a unique character and situation, I do not consider that its use for a single dwelling would be out of keeping with the overall pattern of development in the surrounding area.
12. The existing building on the site is only single storey, but it is located almost directly in front of the main entrance to the hotel and obscures views of the hotel. The proposed dwelling would be located further south and most of it would be adjacent to the hotel car park, rather than to the building itself. It would have a larger footprint than the existing windsurf school building and would be larger and higher than the garage, for which planning permission has been granted in the centre of the site. However I consider that on balance the proposed dwelling would have a more sympathetic relationship with the hotel than the existing building, regardless of whether or not the approved garage is constructed.
13. Sea Road is a narrow lane with no pavements and the tall walls and hedges that border it, particularly to the east, create a strong sense of enclosure. It is proposed to remove part of the boundary wall to create a new access adjacent to the hotel access, but the remainder of the boundary wall would be retained and raised in height. I consider that this, together with the additional enclosure provided by the long south west elevation of the proposed dwelling would preserve and add to the sense of enclosure in this part of Sea Road.
14. The proposal is a modest dwelling, which I consider would appear appropriate on this small site. I am satisfied that the building itself, the small rear patio and the garden and parking areas to the north west of the dwelling would all be in keeping with the scale of the site and the pattern of development in the surrounding area.
15. To conclude on this issue, I consider that the proposals would relate sympathetically to the existing built environment and would reflect the character of the surrounding area. They would therefore be consistent with the objectives of Structure Plan Policy G5, as well as with the relevant part of Local Plan Policy EVT7(ii), Local Plan Policy HSG5(ii) and Policy DEV1 of the emerging Structure Plan. They would also maintain the character of the Area of Special Character in accordance with POLICY AREA1 of the emerging Local Plan and the relevant emerging supplementary planning guidance.

Living conditions

16. Concerns have been raised that any first floor windows in the north west elevation of the proposed dwelling could allow views into the three first floor windows of the Seaview Hotel that face the appeal site. From my observations at the site and my reading of the plans, I consider that any views towards the hotel would be at such an oblique angle that they would not result in any significant loss of privacy. However in the case of either of the appeals being allowed, I am satisfied that the use of obscure glazing to first floor windows on the north west elevation would remove any perceived risk of overlooking.
 17. My attention has also been drawn to potential overlooking from the north west elevation of the proposed dwelling into the first floor rooms and gardens of Palm Court Cottages, to the north. I consider that these properties are so far from the proposed dwelling that it would be difficult to look from room to room and in my estimation the high, well established boundary to the south east of Palm Court Cottages would prevent overlooking into the
-

gardens. However I am satisfied that the use of obscured glazing would be appropriate to remove any remaining risk of loss of privacy for the residents of Palm Court Cottages.

18. Concerns have been raised that the proposed dwelling would overshadow the Seaview Hotel and in particular would result in a loss of light to the nearest first floor window. However the dwelling would be located directly to the south of the hotel and further away than the existing building. On this basis I consider that the proposals would reduce overshadowing, as the sun would be at its highest point when behind the new dwelling, and increase the amount of daylight reaching the hotel windows, because there would no longer be a building directly in front of them.
19. To conclude on this issue I consider that the proposed development would maintain the privacy of the occupants of adjacent buildings and would not overshadow the Seaview Hotel. It would therefore be consistent with the objectives of the relevant part of Local Plan Policy EVT7(i).

Conditions

20. In order to prevent overlooking of adjacent properties I will attach conditions to ensure that any first floor windows to the north west elevation of the dwelling are glazed with obscure glass. The Council has suggested conditions to construct the vehicular access before any other construction work commences on the site, to construct and maintain satisfactory visibility spiays, and to provide for surface water drainage to be discharged away from the highway. I agree that these conditions are necessary in order to ensure highway safety and I will attach them accordingly.
21. The Council has also suggested conditions to ensure that satisfactory parking is maintained clear of the highway. I agree that this is necessary in order to ensure highway safety and will attach such a condition. At the Hearing it was confirmed that the application plans do not give details of external facing materials. I therefore consider that in order to maintain the character of the surrounding area a condition should be attached requiring the approval of materials to be used before development commences.

Other Matters

22. Local residents have expressed concern that the creation of a new vehicular access and the need to reverse into or out of the site would add to existing traffic problems in the area, particularly in the summer months when Sea Road becomes very congested. However the Highway Authority has not objected to the proposal and the Council has pointed out that the proposed residential use is likely to generate less traffic around the site than the existing use as a windsurfing school. Having regard to these points, and in the light of my own observations of the situation around the site, I am satisfied that the proposal would not have a harmful impact on highway safety.
23. Local residents have referred to an informal arrangement, which allowed the appeal site to be used for parking by hotel residents, arguing that the proposal would result in the loss of potential car parking space. However I have assessed these appeals on the basis of the existing circumstances at the site, which is now fenced off from the hotel as a separate site.

Conclusions

24. I consider that the development proposed in each of the appeals would maintain both the character and appearance of the surrounding area and the living conditions of the occupants of adjacent buildings. I have considered all other matters raised but have found none that outweigh my conclusions on the main issues. I therefore conclude that both of the appeals should succeed.

Formal Decision

Appeal A:

25. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for erection of a cottage to replace existing windsurfing school and approved garage (revision to EP/86/00) at 129 Sea Road, East Preston, in accordance with the terms of the application [Ref:EP/53/01] dated 21 May 2001, and the plans submitted therewith, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) The first floor windows to the north west elevation shall be glazed with obscure glass to a specification to be agreed in writing with the local planning authority prior to the commencement of development. The obscure glass shall be retained at all times.
- 3) Before any other construction work commences on the site the access to the site shall be laid out as indicated on Drawing No.1180G:2A (Plan A). The opening and height of the boundary wall shall be permanently maintained as indicated on Plan A and no structure or erection exceeding 0.6 metres in height shall be placed within the sight lines indicated on Plan A.
- 4) No development shall take place until details of drainage works within the site, to provide for the disposal of surface water so as to prevent its discharge onto the highway, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is occupied and permanently retained thereafter.
- 5) The dwelling shall not be occupied until space has been laid out within the site for two cars to be parked as indicated on Plan A. The area laid out shall be permanently retained for the parking of vehicles.
- 6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

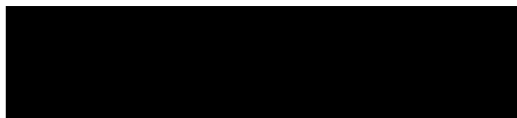
Appeal B:

26. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a cottage to replace existing windsurfing school and approved garage (revision to EP/53/01) at 129 Sea Road, East Preston in accordance with the terms of the application [Ref:EP/135/01] dated 21 November 2001, and the plans submitted therewith, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) The first floor window to the north west elevation shall be glazed with obscure glass to a specification to be agreed in writing with the local planning authority prior to the commencement of development. The obscure glass shall be retained at all times.
- 3) Before any other construction work commences on the site the access to the site shall be laid out as indicated on Drawing No.11800:3 (Plan B). The opening and height of the boundary wall shall be permanently maintained as indicated on Plan B and no structure or erection exceeding 0.6 metres in height shall be placed within the sight lines indicated on Plan B.
- 4) No development shall take place until details of drainage works within the site, to provide for the disposal of surface water so as to prevent its discharge onto the highway, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is occupied and permanently retained thereafter.
- 5) The dwelling shall not be occupied until space has been laid out within the site for two cars to be parked as indicated on Plan B. The area laid out shall be permanently retained for the parking of vehicles.
- 6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Information

27. A separate note is attached setting out the circumstances in which the validity of any of these decisions may be challenged by making an application to the High Court.
28. These decisions do not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
29. An applicant for any approval required by a condition attached to these permissions has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
30. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.


INSPECTOR

EP/135/01

COMMENT ON REPRESENTATIONS RECEIVED

The flint boundary wall will not be demolished in its entirety, indeed, it is proposed to increase its height to 1.8 metres. The west elevation of the property would be flint faced at ground level to provide a visual continuation of the boundary. The plot size is similar to that of Palm Court Cottages. The site lies within an Area of Special Character but to the east of Sea Road the area is characterised by small close-knit development.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN

Section 54A of the Town and Country Planning Act 1990 states:-

"Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise."

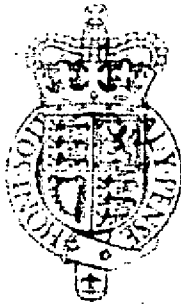
The proposal is considered to comply with relevant Development Plan policies in that it will not harm the amenities of adjacent dwellings or character of the locality by reason of its size, design and siting.

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.

CONCLUSIONS

The proposed dwelling has been amended in design following earlier refusal. The first floor balcony and staircase have been deleted and overall height has been reduced by approx. 0.3 metres. Although length of the building at first floor has increased, it is considered the design and appearance of the building is satisfactory. It is recommended that the application is approved subject to the conditions set out overleaf.



Appeal Decision

Site visit made on 3 May 2005

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Date **02 JUN 2005**

Appeal Ref: APP/C3810/A/04/1167768

Well House, Seafield Road, East Preston, West Sussex BN16 1NA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Jeremy Claude Henwood against the decision of Arun District Council.
- The application (ref: EP/127/04) dated 20 September 2004, was refused by notice dated 27 October 2004.
- The development proposed is 1 house & garage & 1 garage to replace demolished.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The application was made in outline with all matters, other than layout, reserved for subsequent approval.
2. Since the Council's decision to refuse planning permission, and the submission of the appeal statements, West Sussex County Council has adopted the West Sussex Structure Plan 2001 - 2016. This now supersedes the 1993 Structure Plan. I have therefore, at my request, been provided with policies considered relevant to this appeal from the recently adopted Structure Plan. Both the Appellant and the Council have also been provided with the opportunity to comment on the relevant policies. I shall make no further reference to the 1993 Structure Plan or the Deposit Draft version of the 2001 - 2016 Structure Plan cited in the Council's refusal notice.

Main Issues

3. I consider that the main issues in this appeal are:
 - a) The effect of the proposed development on the appearance and character of the local area, and
 - b) The effect of the proposal on the living conditions of surrounding residents, with particular regard to over dominance, overlooking and loss of light.

Planning Policy

4. The development plan includes the recently adopted West Sussex Structure Plan 2001-2016 and the Arun District Local Plan adopted in 2003. Policy LOC1 of the Structure Plan indicates that the priority for its locational strategy is for new development to be located within existing towns and villages particularly through the re-use of previously developed land. Such development, including infilling and redevelopment, should be permitted provided that the impact on the character of the area is acceptable.

5. Policy DEV1 of the Structure Plan and Policy GEN7 of the Local Plan both indicate that new development should be of a high quality and respect the local context. Policy GEN7 also indicates that new development should not have an unacceptable adverse impact on adjoining occupiers. Policy AREA1 of the Local Plan indicates that within Areas of Special Character, planning permission will be granted subject to the development, amongst other things, making a positive contribution to the special character of the area.
6. I am advised that the appeal site falls within an Area of Special Character, and the Appellant has referred to a document adopted by the Council in 2000, relating to the description of the character of the area. This document is not referenced in the decision notice. I also understand that the document is currently under review, not in respect of the designation and land included, but in respect of the description of the area, and the draft Supplementary Planning Document is subject to public consultation. However, as neither party has provided me with a copy of the existing document or the proposed review, I am therefore unable to take them into consideration.

Reasons

Issue One: effect on the appearance and character of the local area.

7. Well House is a detached, residential property on the north side of Seafield Road, which is a private and gated road, within a predominantly residential area. The surrounding properties are individual in design and style, and on a range of plot sizes, but the local area is, in my view, cohesive in terms of both its appearance and character, comprising generally well-spaced properties, on good-sized and well-landscaped plots.
8. I agree with the Appellant that the location of the appeal site within the built up area of East Preston would, in principle, support residential development and there is no issue with the Council on this matter. However, the relevant policies in the development plan make it clear that any proposal should respect the character of the area, and within Areas of Special Character, make a positive contribution to that special character.
9. I recognise that the proposal has not yet been designed, but the proposal would result in the significant infilling of the existing side garden to Well House. I consider that there would be limited space between the proposal and the existing properties on either side, particularly to Crinnis. As a result, it is my view that the proposal would appear cramped within its plot and detract from the character and appearance of well-spaced properties in the local area. The Appellant has indicated that the property, Well House, is built across more than two of the original plots. However, my assessment is necessarily based on the existing situation and in the light of the current development plan policies.
10. When account is taken of the vehicular access to the two new garages, the proposed new dwelling would be left with minimal garden area, and this would not be in character with the more spacious setting of most of the properties in the local area. The requirements of the proposed occupier do not affect this consideration, which relates primarily to the compatibility of the proposal with the local context. The combined effect of the proximity of the new dwelling to the adjoining properties and lack of garden to serve the new dwelling would in my view intensify the pattern of development to the detriment of the current more spacious appearance and character of

(the local area.)

11. I therefore consider that the proposal would not make a positive contribution to, or respect, but would harm the appearance and character of the local area. This would be contrary to the policies I have referred to above.

Issue Two: effect on the living conditions of adjoining residents

12. The detailed design of the proposal, including the position of windows are reserved for future consideration. Nonetheless, given the limited size of the site and the proximity of both the adjoining houses, with windows facing towards the appeal site, I consider that a new dwelling in this location would be overbearing for the residents of both adjoining properties, and particularly for the residents of Crinnis. From the windows of the habitable rooms in the western elevation of Crinnis the outlook would be onto the side elevation of the new property. The proximity of the new dwelling would also, in my view, lead to a loss of light to these rooms along the western side of Crinnis.
13. Furthermore, given the arrangement of windows on both Crinnis and Well House facing towards the appeal proposal, as well as the proximity of the rear of the proposal to the rear boundary and the garden to Dene Cottage, I am not satisfied that it would be possible to arrange the accommodation and windows in the proposal to ensure that no overlooking or loss of privacy would occur to adjoining residents. I appreciate that the current arrangement of properties does not preclude some overlooking, but I consider that the proposal would significantly exacerbate the situation.
14. I therefore conclude that the proposal would adversely affect the living conditions of adjoining residents, with particular regard to over dominance, loss of light and overlooking. This would conflict with Policy GEN7 of the adopted Local Plan.

Other Considerations

15. Issues relating to the removal and pruning of trees and shrubs, and property boundaries are not directly relevant to my consideration of the planning merits of the proposal, and I shall not therefore address them further.
16. I have sympathy with the Appellant's reasons for seeking permission for a new dwelling. However, the adverse harm I have identified would endure long after the personal circumstances referred to have ceased to be material.

Conclusion

17. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should not succeed.

Formal Decision

18. I dismiss the appeal.

L.J. Evans.

INSPECTOR

NO 156
SEA ROAD
(OLD BOUNDARY)



PLANNING APPROVAL
1999
B GROUND FLOOR EXT.
A UNSTAIRS EXT.

AREA OF PROPOSAL
14 M X 17.5 M = 245 SQ.M.

32. M

○ WELL HEAD

OLD SUSSEX.

PROPOSED
GARAGES

EXISTING
GARAGE

WELL HOUSE

PROPOSED
HOUSE
GROUND FLOOR
74 SQ.M.

CRINNIS

1.2 M. AV.
TO BOUNDARY

1.2 M. AV.
TO BOUNDARY

FRONTAGE 32.6 M

NEW ACCESS

OLD
ACCESS

SCALE 1:96

SEAFIELD ROAD (PRIVATE)

170-6-047

127
041



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 716019
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

A J Salter & Son
50 Windsor Road
Worthing
West Sussex
BN11 2LY

Your Ref:
Our Ref : EP/123/10/
Please ask for:
Mr J Smith

4th November 2010

Dear Sir/Madam

The Town and Country Planning Act 1990 (as amended)

Outline Application with all matters reserved for a proposed sustainable dwelling with parking area and store building.

Crinnis House Seafeld Road East Preston BN16 1NA

Receipt No P85581	Amount: £ 335.00	VAT Number 193 5586 24
		TOTAL PAID: £ 335.00

Thank you for your recent planning application, which was accepted as a valid application on 4th November 2010. It is being dealt with by Mr J Smith who will be able to help you by telephone, should you have any questions. However, I would point out that it will not be possible for you to meet with the case officer unless a prior appointment has been arranged.

This Council is legally obliged to publicise all planning applications received. I would be grateful if you would display the enclosed notice on or near the site for 21 days from the date you receive this letter in a position where it can easily be seen by the general public. A decision cannot be made until 9th December 2010 which is the end of the advertising period.

If you have not received a decision by 30th December 2010 and have not agreed in writing to extend this time limit, or been advised that your application is invalid, you are entitled to appeal to the Secretary of State in accordance with the Town and Country Planning Act within 6 months from the date by which the decision should have been made (unless the application has been referred to the Secretary of State by this Council for decision). Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

Please be aware that some of our correspondence including the Decision Notification will be sent by email if you have provided an email address on your forms. It is therefore important to inform us if your email address changes throughout the course of the application.

This acknowledgement only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations. You will need to carry out your own checks to determine whether any other consents or permissions are required. For advice on whether Building Regulations are required please visit the government's website www.planningportal.gov.uk. If you are in any doubt you will need to submit a formal Building Regulations submission.

Please do not hesitate to contact us if you have any queries.

Yours faithfully



Application No: EP/123/10

Case Officer: [REDACTED]

Planning Portal Ref:
Receipt No: P 85581
Amount: 335.00
Date: 4.11.10

Cross/other ref:
Additional receipt/refund:
Amount:
Date:

Site Number(s): EP-28-49
Grid Reference: 507104 - 101595
Flood Zone: Fluvial 1 2 3A 3B
Tidal 1 2 3A 3B

~~2600 Flood Risk~~
Floodzone 1

Flood Zone: Natural defences Yes/No
Public Sewer: Yes/No
Listed Building: Yes/No
Conservation Area: Yes/No

Technical Notes:

Registration Notes:

History Files Y/N

APO Please tick if there are any other statements required from the following:

Affordable Housing	Open Space
Bin Storage & Collection	Parking Layout/Access
BiBodiversity	Planning
EIA	Retail Impact
Flood Risk	Structural
Heritage	Telecommunications
Land Contamination	Transport/Travel
Landscaping	Tree
Lighting	Ventilation
Loss of Retail Use	Walls
Noise	Street Scene Elevation
Date made complete:	Signed: [REDACTED]

4/11/10

Dated:

4/11/10

CONSULTATIONS LIST GATSU General\consultation sheet.doc (18/02/10)

WSCC Local Development Division (Includes ROW/Archaeology/ Ecology/ Highways/Reg3/4/Strategic)	WSE	✓
WSCC Design Section (Listed Building Consultations only)	WSD	
Agricultural Appraisal	WAA	
West Sussex Waste Disposal	WWD	
Trading Standards	WTS	
Commission for Social Care Inspection	RHU	
Playschool Registration Unit	PRU	
Highways Agency and Consultants Interoute	HA & MO	
English Heritage (Parks/Gardens Special Interest only)	EH2	
West Sussex Health Authority (Eastern Area)	WHA	
West Sussex Health Authority (Western Area)	CHA	
Southern Water	SWW	
Environment Agency (Zone 2, 3 or 2/3)	EA	
Portsmouth Water Co.	PW	
South Downs Joint Committee	SCB	
Railway consultee	RP	
English Nature	EN	
Sussex Police	POL	
English Heritage (for apps affecting grade 1 or 2* LB's)	EH	
Garden History Society	GHS	
Health & Safety Executive	HSE	
Government Office for the South East	MFF	
Sport England South East	SPO	
West Sussex Fire and Rescue(Water And Access Management)	WFW	
Department for Environment, Food & Rural Affairs	DEF	
The Countryside Agency	COA	
South East England Regional Assembly	SEE	
Commission for Architecture & the Built Environment	CAB	
Western Sussex Primary Care Trust	PCT	
South East Economic Development Agency	ECD	
Ofcom Wind Farm Enquiries	OFC	
The Theatres Trust	TTT	
Estates Property	PS	
Adjoining Council (Worthing/ Chichester/Horsham/ North Mundham Parish Council)	WOR/CHI/HOR/ NMP	
Landscapes	LDS	
Arboriculturist	HOR	
Environmental Health	FS	
Leisure Services	TL	
Concessions Officer	CON	
Engineers - All to go to Brian Holland + Fluvial flooding (Simon Power) END or Coastal Protection (Roger Spencer) ENC or Structural (Bruce Taunton) ENS	ENG	
Council Tax	CTR	
Building Control	BC	
Economic Regeneration	ER	
Housing Policy	HOU	
Housing Management	CHO	
Local Plans	FP	
Conservation Officer	CO	
Planning Solicitor	LEG	
Elections	EL	
Bognor Regis Task Force	BTF	
Car Parks	CAR	
Environmental Amenities and Community Safety	EAC	
Parish Council		✓
TSU WILL ALWAYS DO:		
CAAC - any app falling within a Conservation Area (enter group code CAA)		
Six Societies - any demolition to a listed building (AMS, CBA, GG, SPA, VS + EH for principle demolition + LOCAL GROUPS ABS, LVC, FVS, AS, EPK, FCG, FNV)		
Mark Everson - any tree applications (HOR)		
Environment Agency - if development in a flood plain		
Southern Water - development over a public sewer or If in Barnham Drainage Area		
Adjoining Parish/Town Council if Dual Parish application		
Anything with a wind turbine consult NATS (use code WFC)		