

REPORT UPDATE

Application No: EP/136/11/

Reason for the Update / Changes

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National Planning Policy Framework (NPPF) Considerations:

As of 27th March 2012 the newly adopted NPPF superseded all national Planning Policy Guidance and Planning Policy Statements. Local policies are given weight according to their consistency with the aims of the NPPF. It is considered that the reasons for refusal given for this application are supported by the NPPF. Paragraphs 58 and 61 inform of the need to ensure development relates well towards local and historic character.

The conditions have been updated, removing all references to PPS3 and replacing with NPPF considerations.

Note: The changes to conditions are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

EP/136/11/

Recommendation Report for Planning Permission

REF NO: EP/136/11/

LOCATION: Crinnis
Seafield Road
East Preston

PROPOSAL: Outline application for erection of detached 2 storey dwelling of sustainable carbon efficient design together with car parking space and bin storage area - Resubmission of EP/123/10

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal involves the provision of a new two-storey, three bedroom dwelling sited on land that currently forms part of the garden at 'Crinnis.'
SITE AREA	Approximately 0.02 hectares.
RESIDENTIAL DEVELOPMENT DEN	Approximately 50 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There are a number of trees and shrubs around the site

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boundaries. The majority of trees are concentrated towards the rear (northern) boundary and generally consist of small and medium sized fruit trees. None of these are currently subject to Tree Preservation Orders.

BOUNDARY TREATMENT

The western boundary is currently open as the site forms the eastern part of the amenity of space at Crinnis. Other boundaries are marked by approximately 1.8 metre high timber fencing as well as informal tree, hedging and shrub plantings.

SITE CHARACTERISTICS

The site is currently amenity land belonging to Crinnis. There is a hard surfaced driveway/parking area to the front which is served by gates on Seafield Road. There is also gated access from Sea Road which is to the east. Behind the driveway is a garden area which is partitioned from the driveway area by a low flint wall.

CHARACTER OF LOCALITY

The site is located on a corner plot at the junction between two residential roads, the immediate surrounding area is part of an Area of Special Character which was designated in 1997. To the south and west of the site is Seafield Road which is characterised by large, detached dwellings which are set back from the wide road with the overall characteristic being a sense of spaciousness and low density. Sea Road, which passes to the east has a more intensive array of housing, including small blocks of flats. This is a narrow road which is lined by a flint wall in places, buildings are generally close to the highway or directly adjacent to it. Nearby buildings are generally two-storeys high. A mixture of designs are present.

RELEVANT SITE HISTORY

EP/123/10/	Outline Application with all matters reserved for a proposed sustainable dwelling with parking area and store building.	Refused 24-12-2010
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REPRESENTATIONS

Representations received:

East Preston Parish Council
Objection.

The objections raised against previous application EP/123/10 have not been addressed sufficiently.

Would have a detrimental impact upon the distinctive special character of the area in conflict with Policy AREA1 of the Local Plan.

It is a cramped form of development that is contrary to the layout of the area and Local Plan Policy GEN7 and PPS1 and PPS3.

Would result in an unacceptable relationship with adjoining properties and adversely impact upon the future occupants of the proposed dwelling through loss of residential amenity.

Additional development in this area will add to the risk of a serious road accident in this area.

This development would be impacting upon garden space in the village.

8 letters of support:

The property is directly comparable to established and recent development in the area and will therefore not significantly impact on the character and appearance of the area. Will enhance the character and distinctiveness of the location by removing a characterless hedge, old fencing and scruffy Leylandii trees.

9 letters of objection:

Overdevelopment of the plot. Overbearing and intimidating towards neighbouring properties. Increase in traffic on a road which is regularly used by pedestrians to reach the beach. Will have a detrimental impact on the surrounding area. Not in keeping with other houses on the road and that of the surrounding area. Would take away another green area. The East Preston Village Design Statement should be considered before this application is decided on. Development will have virtually no garden of its own. The reasons for refusal for the previous application EP/123/10 are equally valid for the current application. Would destroy the informal character of Sea Road at this point which is a feature that the Area of Special Character was created to preserve. Plans make no mention of my home, Dene Cottage, 156 Sea Road as being the adjoining property to Crinnis. Will border my only garden as there is no garden to the rear of the house. Would ruin the view I have now. The already substantial 'Crinnis' would be left with a minimal garden in comparison to its size. Other recent developments referred to in the application have been built in a pub car park and on a caravan site. Would involve the removal of established trees and greenery. Does this set an example to be followed?

Comments on Representations received:

Each planning application is judged on its own merits and precedents can not be set either for or against future developments as a result of an approval or refusal. It is acknowledged that the proposal may tidy the appearance of this part of the site but this must be weighed against the overall impact the dwelling as a whole would have upon the character and appearance of the Area of Special Character. County Highways have been consulted on the application and have raised no objections on the grounds of highway safety or traffic flow. The East Preston Village Design Statement has been taken into consideration during the determination of this application. Rights to a view are not a material planning consideration. Potential impact upon the character and appearance of the surrounding area and the amenities of neighbouring residents will be assessed fully within the conclusions of this report, see below.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

Would not foresee there being any significant highway issues to this latest proposal.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Area of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[AREA1](#)

[DEV17](#)

Built-up Area Boundary

The Form of New Development

Areas of Special Character

Affordable Housing

PLANNING POLICY GUIDANCE

PPS1

PPS3

Delivering Sustainable Development

Housing

SUPPLEMENTARY POLICY GUIDANCE

XXX6

EPDS

Interim Affordable Housing Policy

East Preston Village Design Statement by E P Parish Council

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 conflict with Arun District Local Plan policies GEN7 and AREA1 in that it would be out of character with neighbouring dwellings on the western side of Sea Road due to the position of the proposed dwelling and the size of the plot and, as such, would have a detrimental impact upon the surrounding Area of Special Character.

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

PRINCIPLE:

While the proposed dwelling would be located within the built-up area where the principle of

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development is accepted, garden land has now been reclassified in Annexe B of PPS 3 (June 2010) and is no longer classified as brownfield / previously developed land. This re-classification is an attempt to stem the flow of loss of garden land and prevent the much publicised "garden grabbing". While each application is judged on its own merit such development may have a possible impact upon the character of the area, the acceptability of which must be considered.

It should be noted that, whilst a presumption in favour of garden land development is no longer pursued, PPS 3 does not advocate taking a negative stance towards garden land development. The intention is for a neutral view to be adopted and applications for development in garden land should be looked at on a case-by-case basis and judged on their overall merits. The core aim of PPS 3 is to achieve development that is better integrated with its surroundings and does not produce excessive density and development of garden land that satisfies this aim would be viewed more favourably.

In this case the proposal is considered to be exactly the sort of development which PPS 3 seeks to avoid and the design of the scheme and its cramped nature confirms that it cannot properly integrate with and respect the existing character of the area.

SITE HISTORY:

This application follows EP/123/10, which sought approval for a new dwelling occupying a similar position within the plot. The previous application was refused on account of the negative impact that it would have had upon the open and spacious characteristic of the surrounding area. The current application seeks to address the reasons for refusal made, the design of the dwelling has been altered and its bulk and mass has been decreased in an attempt to address the concerns raised.

HIGHWAYS & PARKING:

West Sussex County Highways have been consulted on the application and have offered no objections on highway grounds. The WSCC parking calculation tool has been used to determine the expected parking demand for the development, the projected demand being two spaces. The accompanying Design and Access Statement confirms that a single parking space will be provided although the statement maintains that additional space could be utilised for further parking areas if required.

CHARACTER & APPEARANCE:

The proposed dwelling would be sited in a highly visible position within the Area of Special Character. Although it will be set back from the frontages of buildings on Seafield Road, it is considered that it will be visually associated with them. The Council's SPD for Areas of Special Character, describes Seafield Road as being a low density development with a sense of spaciousness. This spacious, low density layout, continues along the eastern side of Sea Road, although it is acknowledged that there is higher density development on the western side. This split characteristic was recognised by a Planning Inspector when determining an appeal for a new dwelling on the western side of Sea Road (appeal reference APP/C3810/A/01/1080151).

Given the high density nature of the proposed development, it is considered that it will be at odds with the established and distinctive visual and spatial characteristics of the surrounding area,

unbalancing the street scene on Seafield Road and Sea Road and detracting from the character and appearance of the Area of Special Character.

AFFORDABLE HOUSING:

The Council's Interim Affordable Housing Policy requires a legal commitment to make a financial contribution to be entered into for any application involving a net gain of residential units. No such agreement has been entered into and, on this basis, the application fails to satisfy this requirement.

SUMMARY:

The recurring observations of the character and appearance of the area immediately surrounding the site is therefore one of low density, where an open and spacious character is prevalent. It is considered that through a combination of the size of the plot and the proximity of the dwelling to the boundary shared with the highway, that the dwelling would appear out-of-keeping with its surroundings and harmful towards the character and appearance of the designated Area of Special Character by forming an incongruous and intrusive feature.

It is therefore recommended that the application is refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The proposal would constitute a cramped form of development which by virtue of its siting, plot size and garden size would be out of character with other dwellings on the western side of Sea Road and detrimental to the visual amenities of the surrounding area which is defined as an area of special character. The development would therefore be contrary to policies GEN7, AREA1 of the Arun District Local Plan.
- 2 The proposal by reason of the subdivision of the existing garden land and resultant uncharacteristically small and cramped plot would result in a form of overdevelopment which would be contrary to the aims and objectives of the National Planning Policy Framework (NPPF) which seeks to protect against garden land development where it would be out of character with the area.
- 3 The proposed development makes no contribution towards affordable housing provision and is thereby contrary to the aims and objectives of policy DEV17 of the Arun District Local Plan 2003 and the Council's interim affordable housing policy adopted on 18 August 2010