Ref: EP/184/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Demolition of existing bungalow. Replacement with purpose designed and built chalet house for disabled child (This application also falls within the parish of Kingston). 5 Upper Drive, East Preston.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.064 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	16 dwellings per hectare approximately.
TOPOGRAPHY	Predominately flat.
TREES	None of any significance to be affected by the proposed development.
BOUNDARY TREATMENT	Low brick walling to site frontage and front south side; none to front north side. The rear of the application site is bordered by walling.
SITE CHARACTERISTICS	Detached bungalow. The dwelling consists of pale yellow painted rendered walling and a brown tiled roof. Single storey, double, attached garage to the north side of the building. Single storey addition to south side.
CHARACTER OF LOCALITY	Residential road. The surrounding area is mixed in character, predominately consisting of one, one-and-a-half and two storey detached properties.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
EP/42/02/	Attached garage.	Approve 10-05-2002.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
East Preston Parish Council	No Objection.
Kingston Parish Council	No Objection.
Angmering of Sea Estate Residents Association Ltd	Proposal would be out of keeping with the surrounding properties and an overdevelopment of the plot. The estate upholds the many and varied objections.
Ten Letters of Objection (received from nine	Concerns over heavy good vehicles entering and leaving the site; Concerns over noise and dust from construction works;

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
different households)	Will lead to a loss of light and loss of privacy; Would have thought a bungalow would be more appropriate for a disabled person; Size of the development is not in keeping with the properties surrounding and it will dwarf them; Out of character; Unnecessary overdevelopment; Would set a precedent; Possible damage to neighbouring properties; The size and shape of the house suggests that its future use could be as some sort of nursing home, a possible business development inappropriate for this small private estate; Existing road layout not suitable for construction vehicles; Demolition of existing property is unnecessary and for profit; Would lead to overlooking effect; Height of the building will lead to overshadowing effect; Surprised neighbours are not notified of planning applications.	

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, NE17, CH1, DEV1, DEV5.
Arun District Local Plan: GEN2, GEN7.

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPS3 - Housing
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.

COMMENT ON CONSULTATION RESPONSES

None.

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COMMENT ON REPRESENTATIONS RECEIVED

Noise and disturbance caused by construction vehicles is not a material planning consideration.

In line with Government Guidance, Arun District Council advertises planning applications in the West Sussex Gazette; on their website and post site notice on or near the site.

The application site is larger than many that surround and therefore although the proposed dwelling would be relatively large in size, it is not considered that it would represent an over development of the site, nor appear out of character in the context of the surrounding area. Further, it is considered that the proposed development would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of light.

Each application is dealt with on its own individual merits. The existing building is not a Listed Building, and nor is it located within a Conservation Area, therefore a separate consent for demolition is not required.

ASSESSMENT OF PROPOSAL

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 the proposed dwelling would not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light, and nor would it detract from the character of the surrounding residential 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.

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CONCLUSIONS

The proposal is for the demolition of an existing detached bungalow and its replacement with 1 No. 6 bedroom, two storey detached dwelling. The agent states within the supporting statement that the design of the dwelling has been designed with the applicant's disabled daughter in mind. He states that the needs and requirements of the child are very specific and require constant attention and it is the family's intention to appoint a live-in carer.

The surrounding residential area is mixed in character, consisting of one, one-and-a-half and two storey detached dwellings. Plot sizes vary, with the application site being larger and wider than the majority of sites that surround. Although the proposed dwelling would be wider than many properties within the surrounding area, it would be no closer to either side boundary than that existing. Given the mixed character of the surrounding area, together with the application site being larger than those that surround, it is considered that the proposed two storey dwelling, albeit large in size would represent an acceptable form of development, which would not appear out of keeping when viewed from the street scene.

With regard to residential amenity, the closest residential property to the south side is a two storey detached property with 3 no. first floor windows to the north elevation that would face the application site. The closest neighbouring property to the north side is a chalet bungalow, with 1 no. small window to the south elevation that would face towards the site. It is noted that the proposed dwelling would have one small bathroom window to the north elevation, which could be obscure glazed via condition. Further, a condition could be imposed on any planning permission which prevents the addition of any first floor windows, without a planning permission to that effect. Taking this into consideration, together with the separation distances between the proposed and neighbouring dwelling, it is considered that the proposed development would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of effect.

It is concluded that the proposed dwelling would represent an acceptable form of development. In addition, the development is in accordance with Government advice in PPS3, in that it makes efficient use of land.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.

EAST PRESTON EP/184/07/

Demolition of existing bungalow. Replacement with purpose designed and built chalet house for disabled child (This application also falls within the parish of Kingston)

5 Upper Drive
East Preston

RECOMMENDATION

Approve Cond

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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 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 roof 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 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.

3 The ground floor ensuite bathroom window to the west elevation and the first floor bathroom window to the north elevation of the building shall at all times be glazed with obscured glass.

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

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor level or within the roof slope of the dwelling hereby approved 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 of the Arun District Local Plan.

5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

6 Before the terrace area hereby permitted if bought into use, details of a 1.8m obscure glazed screen to be positioned along the south side of the terrace shall be submitted to and approved in writing by the Local Planning Authority and the details hereby approved shall be retained in perpetuity.

Reason: To protect the residential amenities of neighbouring properties in accordance with policies CH1, DEV1 of the west Sussex Structure Plan and GEN7 of the Arun District Local Plan.

7 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: LOC1, NE17, CH1, DEV1, DEV5.

LOCAL PLAN: GEN2, GEN7.

NATIONAL POLICIES: PPS1, PPS3, PPG13.

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