Ref: EP/186/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Amendments to consent EP/118/07/ for three bedroom two storey house with detached garage – add porch, bring property forward 1.5m, alter orientation and position of garage on site. 4 Norris Cottages (land to east of 1-3 Norris Cottages), North Lane, East Preston.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.04 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	25 dwellings per hectare approximately.
TOPOGRAPHY	Predominately flat.
TREES	None of significance to be affected by the proposed development.
BOUNDARY TREATMENT	2.5m dense hedging to site frontage and to front east and west sides. 1m wire fencing surrounds the application site. All measurements are approximate.
SITE CHARACTERISTICS	The application site is a garden area to No. 4 Norris Cottages. Grassed area of land. Several small trees within the site, none of which are considered to contribute significant amenity value to the character of the surrounding area.
CHARACTER OF LOCALITY	Residential area. Surrounding properties are mixed in style and character. 1-3 Norris Cottages are one-and-a-half storey terraced properties; No. 4 Norris Cottages is a detached chalet bungalow; No. 2 Elm Avenue is a detached chalet bungalow. Opposite the application site, properties are predominately detached bungalows, chalet bungalows and two storey dwellings.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
EP/118/07/	One three bed house with detached garage in the grounds of 4 Norris Cottages.	Approved Conditionally 28th November 2007.

Ref: EP/186/07/

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
East Preston Parish Council	No Objection.
Local Groups	None.
One Letter of Objection	Little space for two buildings to be erected; Will overlook neighbouring properties; Loss of privacy.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No Objection: The Highway Authority were consulted previously on a similar application for this location under planning application no. EP/118/07/, to which no objections were raised. Despite the change of position of the garage, in terms of access and egress the current application varies little from the previous application; therefore I would not wish to raise an objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up Area Boundary Area of Special Character Class 'C' Road Right of Way

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, NE17, CH1, DEV1, DEV5.
Arun District Local Plan: GEN2, GEN7, GEN12, AREA1.

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

The conditions suggested by County Highways on the previous application will be repeated on this application, provided they are still considered to be relevant.

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COMMENT ON REPRESENTATIONS RECEIVED

This application is for amendments to a dwelling, previously approved under ref: EP/118/07/. The principle of a 1 No. dwelling on the site has therefore already been accepted.

It is considered that the proposed dwelling would not detrimentally affect the residential amenities of any neighbouring dwelling by way of loss of privacy or overlooking effect.

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 detrimentally affect 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.

CONCLUSIONS

The proposal is for amendments to a dwelling previously approved, under ref: EP/118/07/. The amendments would involve the addition of a front porch; re-siting the proposed dwelling 1.5m closer to the front north boundary and re-positioning and re-orientation of the garage. The principle of 1 No. dwelling on the site has already been accepted and this application is therefore to consider the proposed amendments detailed above.

The surrounding area is residential in character, predominately consisting of a mixture of one, one-and-a-half and two storey dwellings. The most affected neighbouring property would be No. 2 Elm Avenue, a detached chalet bungalow to the east side of the application, which has 1 No. large habitable bedroom window to the west side elevation that faces towards the application site. It is noted that no first floor windows are proposed to the east side elevation of the dwelling and further, a condition could be imposed on any permission that prevents their addition in the absence of a planning application to this effect. Although the dwelling would be positioned 1.5m closer to the northern boundary, it would remain set back from the street scene and towards the rear of the site, when compared with the neighbouring property, No. 2 Elm Avenue. it is therefore considered that the proposed dwelling would not detrimentally affect the residential amenities of any neighbouring dwelling

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CONCLUSIONS

by way of overbearing effect, loss of privacy or loss of light.

The proposed porch is considered to be of an appropriate scale, siting and design that would represent an acceptable form of development, which would sympathetically relate to the main dwelling. The re-positing and re-orientation of the proposed garage would also be acceptable and it is considered that the proposed garage would not appear as an obtrusive form of development, nor detract from the character of the surrounding residential area.

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

RECOMMENDATION

to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, NE17, CH1, DEV1, DEV5.

LOCAL PLAN: GEN2, GEN7, GEN12, AREA1.

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.

INFORMATIVE:

The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

Case Officer: Miss C Forrest

RECOMMENDATION EP/186/07/

TOWN AND COUNTRY PLANNING ACT 1990

RECOMMENDATION

Application Ref: EP/186/07/

1 **To Addressee**

2 **Site Address**

4 Norris Cottages
(land to east of 1-3 Norris Cottages)
North Lane
East Preston

3 **Description of Development**

Amendments to consent EP/118/07/ for three bedroom two storey house with detached garage.
- add porch, bring property forward 1.5 m, alter orientation and position of garage on site.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

CONDITION 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).

CONDITION 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 roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

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.

CONDITION 3 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level or above in the east elevation of the dwelling hereby permitted which adjoins the side boundary with No. 2 Elm Avenue without the prior permission of the Local Planning Authority on an application in that behalf.

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.

CONDITION 4 The garage shall be used as a private domestic garage in connection with the dwelling hereby approved only and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of adequate off street parking space in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 5 The dwellings shall not be occupied until the parking spaces/turning facilities/and garage shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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