

PLANNING APPLICATION REPORT**REF NO:** EP/34/10/**LOCATION:** Kenford
9 Madehurst Close
East Preston**PROPOSAL:** Renewal of unimplemented planning permission ref: EP/30/07, for provision of indoor swimming pool and ensuite to main bedroom suite**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The proposed extension was approved conditionally as EP/30/07.
SITE AREA	Approximately 1740 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is surrounded by approximately 2 metre high hedging and there is additional approximately 1.8 metre high timber fencing to the inside of this on the side and rear boundaries.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling which contains an integral garage and has a gable roof. The elevation walls are finished, predominantly, in white painted render with occasional sections of stonework and red brick. There are single storey flat roof extensions to the front and rear.
CHARACTER OF LOCALITY	The site is located on a private residential road which is characterised, predominantly, by detached bungalow and chalet dwellings which are set back from the road.

RELEVANT SITE HISTORY

EP/55/01/	Proposed single storey pool enclosure to rear of property	Approve Cond 23-10-2001
EP/29/02/	Construction of an indoor swimming pool ensuite to main bedroom	Withdrawn 09-05-2002
EP/30/07/	Provision of indoor swimming pool, ensuite to main bedroom suite	Approve Cond 25-04-2007

REPRESENTATIONS

Representations received:

East Preston Parish Council

East Preston Parish Council : No objection

Comments on Representations received:

None

CONSULTATIONS

Environmental Health

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding 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 application seeks to renew an extant planning permission which is due to expire. The planning merits of the proposal were assessed during the process of the original application. At the time, it was determined that the proposal complied with relevant planning policies and was approved conditionally. Any conditions imposed on the original would be carried over should renewal be given.

Government legislation states that renewal of existing planning permissions should be granted unless there has been a material change in circumstances, such as a change of policy, or the continued failure to develop is causing unacceptable uncertainty regarding the future pattern of development in the surrounding area.

Since the last renewal of permission, the same edition of the Arun District Local Plan is still in use and policies GEN2, GEN7 and DEV19, which were fundamental to the determination of the original application, remain in place. Although the West Sussex Structure Plan has now been replaced by the South East Plan, it is considered that there are no policies to which the proposal would conflict.

It is considered that there have been no other material changes in planning circumstances with regards to the proposal since the time that planning permission was originally granted.

It is therefore recommended that the application is approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 This permission relates to the following approved plans:-

Location & Block Plan - date stamped 20-2-07; Proposed Plan - date stamped 20-2-07

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The extension shall be used as a swimming pool in connection with No 9 Madehurst Close only, and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The windows on the north elevation of the extension shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

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