PLANNING APPLICATION REPORT

REF NO: **EP/66/10/**

LOCATION: St Ann
The Street
East Preston

PROPOSAL: Outline application with some matters reserved for new chalet bungalow on land adjacent to St Ann

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Outline planning permission sought for a detached dwelling with access and layout not to be reserved. The proposed dwelling comprises a 'chalet' style dwelling 1.5 storeys in scale with two bedrooms. Access will be taken from a new access that will also serve the existing property (St Ann)
SITE AREA	0.03 ha
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Flat. However, amenity areas for St Anne are approximately 1.2m higher than the application site.
TREES	Mature boundary landscaping to the front of the existing plot will be lost to provide a new vehicular access.
BOUNDARY TREATMENT	Low stone wall to the frontage with mature landscaping behind. No pedestrian footway on that side of the highway.
SITE CHARACTERISTICS	Residential garden area behind mature landscaping to the front and side. Existing dwelling sited to the rear of the large plot.
CHARACTER OF LOCALITY	Application site located adjacent to the library, which is a single storey building set back from the road. Application property and adjoining property are set back some significant distance from the street with mature landscaping to the front in an area with strong character. Two storey residential properties on the opposite side of The Street.

RELEVANT SITE HISTORY

EP/11/90	Outline application for erection of dwelling and 2 no. replacement garages	Refused 09-04-1990 **Appeal: Dismissed 23 11 1990**
EP/40/73	Outline application to demolish existing building and erect 5x2 bedroom flats & 5 garages & extra parking space	Refused 11-05-1973

Planning application EP/11/90 sought permission for a dwelling. This was refused and subsequently dismissed at appeal.

The Inspector concluded;

* There was no uniform build line
* There was a feeling of spaciousness that was an important characteristic of the area. This was in contrast to higher density areas in East Preston
* The proposed dwelling would appear cramped in contrast to the present layout
* Proposed dwelling would be detrimental to the openness of the area
* Residential amenity of future occupants would be prejudiced due to the change in levels and small amenity areas.

REPRESENTATIONS

Representations received:

East Preston Parish Council

East Preston Parish Council - Object on the following grounds;

* Proposal would be visually intrusive and out of keeping with the street scene
* Proposal would result in detriment to the amenity of occupiers of adjoining properties
* Out of keeping with character and detrimental to spatial quality of locality
* Contrary to the Provisions of the East Preston Village Design Statement
* Loss of trees contrary to East Preston Village Design Statement
* Parking for existing and proposed in front of the dwelling contrary to East Preston Village Design Statement
* The Street is an area of special sensitivity that deserves protection.

1 letter of objection (Kingston & East Preston Preservation Society):
Application site a private residential garden that should be protected in accordance with the new PPS3

Comments on Representations received:

Comments are noted.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways: Does not appear to be a visibility issue at the proposed access. Driveway and parking spaces must be constructed of a bound material. Cycle parking should be included.

County Archaeology: No objections subject to watching brief.

Comments on Consultation responses:
Comments noted

POLICY CONTEXT

Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN5	Provision of New Residential Development
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing

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 not 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 and would 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

While the proposed dwelling would be located within the built-up area where the principle of 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 residential development which has is considered harmful to the character of the area. To further ensure that proposed residential development fits with the established character of an area the indicative minimum density threshold has been removed. 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 on garden land should be looked at on a case-by-case basis and judged on their overall merits. The revisions to PPS 3 make it clear that the need for development to be 'in character' is no longer modified by either the need for a minimum density or the need to make

efficient use of residential garden land. The assessment of whether a scheme is 'in character' with the surroundings is therefore considered against a differing criteria compared to that before the changes to PPS 3.

The judgements about whether the proposals are acceptable revolve around the impact on character and amenity.

The proposals are slightly different to those considered in EP/11/90 in that they are sited further away from St Ann. However, they are essentially very similar in that a single dwelling is proposed on the site.

Having regard to the advice contained within PPS 3 it is considered that the proposal is exactly the sort of development which PPS 3 seeks to avoid. The proposal is similar to a previously refused application (EP/11/90) in so far as the earlier planning application also proposed a single dwelling on the frontage of the site. The character of the area has not significantly changed since the previous determination and the area is a spacious urban area with strong character. A proposed dwelling would introduce an alien form of development that would (in conjunction with the loss of boundary landscaping and reduced plot size) result in a cramped development appearing at odds with the character of the area.

There is a change of levels between the application site and the existing dwelling. The properties are 14m apart and St Ann will directly overlook the rear amenity area of the proposed dwelling with only 6m between the property and the rear boundary. With a significant change in levels, it is not considered that this relationship is acceptable and it would result in an unacceptable living environment for future occupants.

A recommendation of refusal is therefore made.

RECOMMENDATION

REFUSE

1 The proposed development will result in a form of development that would adversely impact upon the spacious character of the area through the introduction of a cramped form of development contrary to the layout of the area and loss of mature landscaping. The proposals are therefore contrary to policy GEN7 of the Arun District Local Plan and policy statements in PPS1 and PPS3.

2 The proposed dwelling on the application site would result in an unacceptable relationship with adjoining properties and adversely impact upon the future occupants of the proposed dwelling through a loss of residdential amentiy contrary to policy GEN7 of the Arun District Local Plan.