

PLANNING APPLICATION REPORT

REF NO: LU/244/10/

LOCATION: 14 Highdown Drive
Littlehampton

PROPOSAL: Erection of 1no. 2 bedroom semi-detached dwelling

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed dwelling measures approximately 5.6 metres in width and 7.25 metres in depth and 7 metres in height. The proposal includes a parking space within the site which would be reached via existing access from Highdown Drive on the western boundary.
SITE AREA	Approximately 0.02 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 50 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	Three medium sized Leylandii trees would have to be felled to accommodate the proposed dwelling. The applicant has indicated that a fairly large Weeping Willow tree on the western boundary will be retained, however, it appears inevitable that it would have to be removed due to its proximity to the site access, the proposed new dwelling and the degree of overhang and subsequent overshadowing it would cause in the proposed amenity space. Nevertheless, it is considered that the impacts of its loss would be reduced by nearby trees of a similar stature, further, it is close to the existing site boundary and growing against the boundary fence as well as overhanging the pavement and it is considered to be overly large for its location. None of the trees on site are currently covered by Tree Protection Orders nor are they considered worthy of protected status, as such, their loss is considered to be acceptable.
BOUNDARY TREATMENT	The front of the site is open. The southern and western boundaries are marked by approximately 1.8 metre high timber featherboard fencing. The eastern boundary is currently unfenced as it is within the the current curtilage of No. 14 Highdown Drive.
SITE CHARACTERISTICS	The site is currently a garden area within the curtilage of No. 14 Highdown Drive. It is surfaced with grass and has various landscaping features including shrubbery, fairly large Leylandii trees and a large Willow tree towards the

western boundary.

CHARACTER OF LOCALITY

The site is located on a residential road which is characterised by a mixture of semi-detached bungalow and two-storey dwellings and terraces of two-storey dwellings. Layout is linear with an open appearance to the front of buildings.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection. Overdevelopment of site.

One letter of objection: Reduction of sunlight and reduced privacy to the property to the rear. Would be outside of the established sightline of existing dwellings and granting permission would lead to a further 6 or 7 corner properties being considered as building plots, considerably reducing the open feel of the road. An established willow tree would be felled. The tree adds to the eco-system and the appearance of the sky line. The proposed vehicle access point would cross a busy pedestrian path. Visibility when entering and exiting the property would be minimal.

Comments on Representations received:

Noted.

RESPONSE TO TOWN COUNCIL:

The proposed development would occupy a plot of a similar size to existing neighbouring properties. It is considered that ample amenity space is provided and that the proposal is not an overdevelopment.

RESPONSE TO LETTER OF OBJECTION:

It is considered that sufficient distance is retained between the proposed dwelling and the neighbouring property to the rear to prevent an unacceptable level of overshadowing or overlooking from occurring. It is considered that the proposed dwelling would appear as a natural continuation of the existing terrace and would not compromise the open appearance of the surrounding area, no additional fencing would be provided on boundaries shared with the highway. Any future applications for dwellings nearby would be judged on their own merits. The Willow tree is not subject to a Tree Preservation Order and could be removed at a later date without the need for consent from the Local Planning Authority. The visual amenity of the tree has been assessed during determining this application and it is not considered to be a significant feature of the street scene, nor is it worthy of a Tree Preservation Order. The proposed dwelling would be served by an established site access, currently used by No. 14 Highdown Drive.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

COUNTY HIGHWAYS:

There is no apparent visibility issue at the point of access onto Highdown Drive.

It is recommended that any gates to be used as part of the access open into the property rather than out towards the highway.

If the LPA are minded to approve the application, a condition securing cycle parking should be included.

Comments on Consultation responses:

Comments noted. Conditions can be attached to any given approval requiring gates not to open onto the highway and for cycle parking to be provided.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

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

Built-up Area Boundary
The Form of New Development

PLANNING POLICY GUIDANCE

PPS1
PPS3

Delivering Sustainable Development
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 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

PRINCIPLE:

The site is located within the built-up area where the principle of development is acceptable, subject to compliance with relevant planning policies, particularly Arun District Local Plan policy GEN7 which aims to safeguard the character and appearance of the area surrounding the site and the amenities of neighbouring residents. The proposed dwelling would be located within an existing garden area. Planning Policy Statement, PPS3, has recently been revised and no longer classifies garden land as previously developed. However, it does not advise that such development should be resisted as a matter of course, but rather that a more neutral view should be taken, and each application judged according to its own merits.

CHARACTER AND APPEARANCE:

The proposed dwelling will form a visible feature in the street scene. It is considered that the visual impact would be acceptable as it would be in-keeping with the surrounding area, respecting the form of the adjoining dwellings, providing a continuation of the existing terrace, retaining the linear arrangement of dwellings and the open appearance to site frontages.

It is considered that the proposed dwelling would enjoy an adequate amount of amenity space and would not be an example of overdevelopment. The size of the plot created would be similar, if not slightly larger, than those of nearby plots of dwellings of a comparable size, examples being No. 16 and No. 18 Highdown Drive.

The proposal would involve the removal of fairly large trees within the plot, none of these trees are covered by Tree Preservation Orders, nor are they considered to be worthy of Tree Preservation status. They are not exceptional specimens and do not contribute significantly to the aesthetic quality of the surrounding area which benefits from mature, established landscaping, including large trees on grass verges and green spaces alongside the highway. It is considered that the loss of the trees would therefore be acceptable and not to the detriment of the character and appearance of the surrounding area.

RESIDENTIAL AMENITY:

It is considered that the proposal would not produce an adverse impact on the amenities of neighbouring residents. At a matching height to adjoining dwellings, which it will be built in line with, the proposal would not appear overbearing nor would it be the cause of an unacceptable level of overshadowing. Views from ground floor windows would be obstructed by existing site boundary treatment. First floor windows would look towards the road to the north and west. Those first floor windows facing south would be a distance of some 9 metres from the far end of the garden of the nearest neighbouring property in that direction, and 18 metres from the dwelling itself, and this is considered sufficient distance to prevent any intrusive level of overlooking from occurring.

It is noted that a 2 metre high timber fence will be provided on the eastern site boundary of the rear garden of the proposed development to protect the privacy of the occupants of No. 14 Highdown Drive.

SUMMARY:

The proposal has been assessed against relevant planning policies. It is considered that it satisfies these policies in that it would not appear out of keeping with the surrounding area, would not constitute an overly intensive development, would not have a harmful impact upon the amenities of neighbouring residents and would not present any significant highway safety concerns.

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:-

Site Plan;

LH/HDD/01 A

All plans date stamped 05-AUG-2010

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 dwelling shall not be occupied until the proposed fence on the eastern boundary has been erected.

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

- 4 The dwelling hereby approved shall not be occupied until provision has been made on site for secure cycle storage, details of which shall be submitted to and approved by the Local Planning Authority. The cycle storage shall be retained on site unless agreed on an application on that behalf by the Local Planning Authority.

Reason: In the interests of road safety and to provide alternative travel options to the use of the car in accordance with PPG3 and policy GEN7 of the Arun District Local Plan.

- 5 Any gates installed across the site access shall be inward opening only so as not to open out towards the highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 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

NATIONAL POLICIES: PPS1, PPS3

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