

PLANNING APPLICATION REPORT**REF NO:** LY/19/11/**LOCATION:** Thelton House Apartments
Crossbush Lane
Crossbush Arundel**PROPOSAL:** Alterations to dwelling under construction. Amendment to approval LY/2/10/ (this application falls within the South Downs National Park Authority)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to amend the previous permission relating to an extension to provide two semi-detached dwellings adjacent to the apartments. This application involves the changes to the conversion of the loft space to each dwelling to provide an additional bedroom which was previously accepted as a Non Material Amendment under reference LY/17/11/NMA. Two dormer windows are being provided in the south elevation of the roof, in lieu of roof lights, and an en-suite shower room is being created to serve the rear bedroom at first floor. Balconies are also provided at first floor to the west and enlarged on the south elevation. To provide access to the balcony areas window openings have changed from windows to doors on the west and a door and Juliette balcony have been added to the second floor.
SITE AREA	0.08 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	75 residential units per hectare.
TOPOGRAPHY	The application site is positioned at a higher level than Crossbush Lane.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the north of the site alongside Crossbush Lane, approximately 2m high fencing. Along the western boundary is a 1m high post and wire fence and beyond there is a paddock. Along the southern boundary is a thick hedgerow, approximately 6m in height. Close boarded fence to side garden approximately 2m high.
SITE CHARACTERISTICS	Two storey semi-detached building, comprising four separate apartments. The building is attached to another similar building also comprised of apartments. The subject building is formed of white concrete render walls and brown tiled gable roof. Two storey extension to the west side, with red brick walls and a brown tiled hipped roof

(approved under ref: LY/219/06). Application site currently grassed garden area to flats. Some storage of timber and mounds of soil. Single storey structures on rear boundary.

CHARACTER OF LOCALITY

Rural area. Ribbons development along road frontage characterised by large dwellings of varying designs on spacious sites. A public footpath runs parallel to the west side of the site, with an open field further west. Attached two storey property to the east side. Parking area to the east side.

RELEVANT SITE HISTORY

LY/12/08/	Alterations to existing building to provide internal access to existing flats, extension to provide 2 no. 2 bed houses. Resubmission following LY/6/08.	Approve Cond 05-12-2008
LY/2/10/	Alterations to existing building to provide internal access to existing apartments and to enlarge and resite 2 no. two bed. houses approved under LY/20/09.	Approve Cond 13-04-2010
LY/19/10/NMA	Application for a non-material amendment following a grant of planning permission LY/2/10/ for revised internal layout & revised side elevation of plot B & relocation of front entrance door of plot B	Approve 11-01-2011
LY/3/11/DOC	Application for approval of details reserved by conditions 2, 3, and 4 imposed under LY/2/10/	Part Approved 18-05-2011
LY/8/11/	Remove kitchen door block up & render, remove part of kitchen window & replace with existing door	Approve Cond 20-05-2011
LY/17/11/NMA	Application for a non-material amendment following a grant of planning permission LY/2/10/ to create additional bedroom within existing roof space. Adaptations to stairs & first floor layout, together with the provision of roof windows (this application falls within the South Downs National Park Authority)	Approve 28-07-2011

REPRESENTATIONS**Representations received:**

Lyminster & Crossbush Parish Council

No objection:

Concerns expressed over possible offence resulting to occupants of Calcetto Cottage from provision of balcony and site plan indicating virtually all of front part of plot as off road parking. Would like this adhered to rather than more on road parking resulting.

1 letter of objection:

Introduction of balconies on west and south elevation are at odds with the whole house design. Not in keeping. No rationale for balconies, there is sufficient garden space for occupant enjoyment. Material of north east balcony not specified. Alteration of window style is not in keeping. There are extra windows in the roof space creating a new habitable room. This is not part of original plan and demand for extra parking hasn't been considered. Level of dormer windows is at odds with the original dwelling house and not cohesive in appearance.

Comments on Representations received:

Comments on Parish Council:

Calcetto Cottage is approximately 30m from the site boundary and is on the opposite side of Crossbush Lane. Given this distance it is not considered that overlooking from the balcony would cause material harm. Parking is indicated in the front garden area and can be controlled by condition.

Comment on letter of objection:

A balcony has been added to the west elevation, but two Juliette balconies were approved on the south elevation, albeit of a smaller and less dominant nature. Provision of gardens does not preclude balconies. Provision of habitable rooms in roof has been approved under LY/19/11/NMA. Proposal does not relate to provision of additional habitable accommodation or impact on parking demand. Design of windows and doors is not significantly at odds with the appearance of the development as a whole.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Outside the Built Up Area Boundary

Rights of Way

Public Sewer on Site

DEVELOPMENT PLAN POLICIES

South East Plan: [SEPC2](#)

South East Plan- Policy C2 The South Downs

Arun District Local Plan: [GEN2](#)

Built-up Area Boundary

[GEN3](#)

Protection of the Countryside

[GEN4](#)

Location and Travel Demand

[GEN7](#)

The Form of New Development

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

PPS3

Housing

PPS7
PPG13

Sustainable development in rural areas
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.

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 proposal is for external changes to the approved semi-detached dwellings adjacent to the existing property (which comprises 4 no. residential units). The development of 2 no. 3 x bed/houses has been approved under LY/17/11/NMA.

The application site lies outside the built up area boundary adjacent to a Strategic Gap, but the extension would be located within the residential curtilage of the existing property and within the area of the previously approved extensions (LY/29/06, LY/12/08 and LY/20/09). It would not therefore compromise the integrity of the Strategic Gap.

VISUAL AMENITY, CHARACTER AND IMPACT ON THE NATIONAL PARK:

Applications LY/2/10 and LY/17/11/NMA are valid permissions. A trench has been dug on site and inspected by Building Control (LY/7/11/BR), conditions have also been discharged under LY/3/11/DOC relating to LY/2/10. Some works relating to implementation have therefore been carried out and are a material planning consideration.

The position, design and footprint of the buildings are largely as approved, with the exception of the first floor ensuite shower room extension.

The balcony would be readily visible from the site frontage, but it would not be overly dominant. The window and door alterations to the elevations are not significant and are not out of keeping with the appearance of the approved building or its context with the adjacent flat development.

The alterations would have no adverse impact on the conservation of the natural beauty of the

landscape. The development would not conflict with the statutory purposes of the National Park. Section 61 of The Environment Act (1995) updated the two purposes of National Park designation:

1. Conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park;
2. Promoting opportunities for the understanding and enjoyment of the special qualities of (the) areas by the public.

RESIDENTIAL AMENITY:

The changes to windows and doors would have no impact on residential amenity. The increase in size of the balcony and to the rear would be acceptable since the views over the existing flats would be restricted by the wall which extends from eaves height to the rear balcony wall. The new balcony to the side would overlook farmland and would not result in a material loss of privacy to adjoining properties.

The application is recommended for approval 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 The development hereby approved shall be carried out in accordance with the following approved plans DA 10 025 2.11 revC and DA 10 025 2.22.

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

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs and balconies 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 policy GEN7 of the Arun District Local Plan.

- 4 No dwelling hereby approved shall be occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with PPG3

- 5 No development shall be commenced until the access to the proposed site have been laid out to provide visibility splays on each side of the access in accordance with drawing no. DA 10 025 2.11rev B.

No other work shall be carried out on the site until the approved sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

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

- 6 The building hereby permitted shall not be occupied until provision for car parking has been made within the site in accordance with details hereby approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policy 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

LOCAL PLAN: GEN2,GEN3,GEN4,GEN7

NATIONAL POLICIES: PPS1,PPS3,PPS7,PPG13

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

- 8 INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.
- 9 INFORMATIVE: The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Depot, Drayton Lane, Chichester, PO2 6BW. Telephone: 01243-836900 to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 10 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

LY/19/11/

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.