

PLANNING APPLICATION REPORT**REF NO:** R/179/09/**LOCATION:** 126 Sea Lane
Rustington**PROPOSAL:** Amendments to planning permission R/283/07 - Relocation of parking and turning area utilising existing vehicular access onto Sea Lane**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to amend the location of parking and turning from the rear of the site accessed from Fontwell Close to the front of the site from Sea Lane. The existing vehicular access would be utilised.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development. The approved replacement tree is now to be provided to the rear of the site. Preserved False Acacia to site frontage centrally positioned.
BOUNDARY TREATMENT	Front fencing to 1.8m high approximately.
SITE CHARACTERISTICS	Two recently completed semi-detached dwellings. Pedestrian and vehicular access existing to Sea Lane.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

R/206/07/	Outline application for erection of 5 No 2 bed flats.	Refused 19-09-2007
R/283/07/	1 no pair of semi-detached houses.	Approve Cond 07-02-2008
R/125/08/T	Fell 1 Beech Tree	Approve Cond 23-06-2008

REPRESENTATIONS**Representations received:**
Rustington Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

WSCC Local Development Divis.

Horticulturist

Consultations responses received:

County Arboriculturist:

Revised parking and turning would have no adverse effect on T1. Replacement Tree Preservation Order in rear garden is acceptable.

County Highways: The revised parking and turning arrangement is a definite improvement on the previous design. No further highway concerns regarding turning on the site.

Comments on Consultation responses:

The position of the parking and turning spaces has been amended following discussion with the Arboricultural Officer.

POLICY CONTEXT

Designation applicable to site:

Within Built-up Area Boundary

Class B Road

Tree Preservation Order TPO/6/07/R

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN7 GEN28	The Form of New Development Trees and Woodlands
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PLANNING POLICY GUIDANCE

PPS1 PPG13	Delivering Sustainable Development Transport
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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, the residential amenities of the adjoining properties, highway safety or the wealth of preserved trees, 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 site already has a vehicle crossover and access from Sea Lane. The proposal would utilise this to serve two residential properties instead of one. Parking and access was originally approved to the rear of the site from Fontwell Close.

The site frontage currently has a preserved tree centrally located (T1). The proposal has been amended to facilitate the long term retention of this tree and reduce the impact on its health. The replacement beech tree (T2) has also been repositioned to the rear garden to ensure this tree would not be adversely affected by the proposed in terms of damage to tree roots.

The parking and turning is considered satisfactory to ensure there would be no adverse impact on highway safety.

Other properties in the locality have vehicular access and parking on their site frontages from Sea Lane. Parking in front gardens is therefore established in this area. There would therefore be no adverse effect on residential or visual amenity. The relocation of parking from the rear garden away from adjoining rear gardens would result in an improvement to the residential amenity of adjoining properties by reducing noise and activity adjacent to the rear gardens.

The application is recommended for approval subject to the conditions set out overleaf.

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 07/3306/4 and 07/3306/5 .

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

- 3 **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: GEN7,GEN28

NATIONAL POLICIES: PPS1,PPG13

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