PLANNING APPLICATION REPORT

REF NO: **R/188/10/**

LOCATION: Lee Corner
Milton Avenue
Rustington

PROPOSAL: Erection of new, two-storey end of terrace dwelling on west elevation of Lees Corner

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed dwelling measures 5.44 metres in width by 7.65 metres in depth and 7.8 metres in height.
SITE AREA	219 square metres.
RESIDENTIAL DEVELOPMENT DEN	Approximately 50 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the site is open. The south, and part of the west boundary is marked by approximately 1.8 metre high timber closed board fencing. There is additional hedging on the western boundary. The eastern boundary is currently unmarked as it is within the existing curtilage of Lees Corner.
SITE CHARACTERISTICS	The site is a predominantly grass surfaced garden area within the grounds of Lees Corner. There is a timber shed in the south-west corner of the site and a hard surfaced parking area, with dropped kerb access from Milton Avenue to the front.
CHARACTER OF LOCALITY	The site is located adjacent to a block of terraced two-storey dwellings at a corner between two residential roads which are lined by terraced two-storey dwellings arranged in a linear fashion.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish Council: Objection. The proposal would attract standing vehicles which would interrupt the free flow of traffic on an already congested public highway. This is particularly relevant as the site is within close proximity to junctions. If approved, this

development would make it increasingly more difficult for the Local Planning Authority to resist similar proposals in the vicinity, the cumulative effect of which would be to completely alter the character of the locality to the serious detriment of the amenities of the area.

One petition signed by 13 individuals and 3 letters of objection, 2 of which provided by people who had signed the petition: Impact on the safety of an already busy junction and roundabout. The property will avert the eyeline of vehicles approaching from The Street to the junction. The home described will attract one or more vehicles and will cause congestion and parking troubles. Will be built entirely to the front of the building line of Milton Avenue. Will be imposing on the street and appear obviously added on. We have been told of a future application for a drive and garage adjoining our front garden. Will cause overlooking. Removal of the existing hedge to the side of the house will affect wildlife. Building on green space will increase flood risk. A beautiful tree will be removed. The shared soakaway will be overburdened. There will only be access to Lee's Corner from the front and we believe this is illegal. Houses at Eden Park and Kings Acre are not selling and the proposed house is not needed in the current climate. The deeds to the 8 houses state that no extensions to the current building line are allowed.

Comments on Representations received:

Noted. County Highways have raised no objections to the proposal on either highway safety or parking grounds. Any future application which may or may not be received will be subject to the planning process and will be judged on its own merits.If approved, an informative would be attached to ensure the applicant understood the requirements of the 1981 Wildlife and Countryside Act with regards to nesting birds. The site is not within an identified flood zone. Concerns over soakaway capacity would be addressed by building regulations rather than planning. Concerns regarding visual impact and potential for overlooking will be investigated within the conclusions of this report. There is no record of any planning restrictions imposed to prevent development forward of the existing dwellings. If there is words to that effect in the property deeds it would be a legal rather than planning matter to be addressed. All remaining objections are not material planning matters.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

WEST SUSSEX COUNTY HIGHWAYS:

No parking is proposed, however, the property is not anticipated to result in a large increase in demand for parking in this location. It is possible that some parking may take place in the lay-by along The Street or adjacent to the proposal along Milton Avenue. The LPA may wish to consider the potential implications of this proposal towards on-street parking.

Cycle parking has been proposed, the applicant should be reminded that this facility should be covered and securable, details should be submitted to the LPA for approval.

In terms of vehicular movements, the proposed dwelling is unlikely to result in any material increase or any detrimental impact.

Comments on Consultation responses:

Noted. A relevant condition regarding cycle storage facilities can be added to any given approval.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area
Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	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."

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 proposal would involve the construction of a new dwelling, to appear as a continuation of an existing terrace of 3 two-storey houses. The proposed development would be carried out on what is currently part of the garden of Lees Corner. Planning Policy Statement, PPS3, has recently been revised and no longer strongly advocates the use of garden land for residential development. 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. In this instance, the proposal is considered to provide an acceptable level of amenity space which is comparable to that provided at neighbouring properties and, therefore, is not seen to be overly intensive.

Although the proposal has been designed to mimic the appearance of the existing terrace of dwellings to which it would be attached and is considered to visually integrate effectively with these dwellings, it is considered that it would have a negative impact upon the character and appearance of the surrounding area. The site is a prominent location at the entrance to Milton Avenue which extends to the south with a linear arrangement of dwellings which are set back from the road, helping to maintain a spacious appearance. By extending closer to the highway than neighbouring properties it is considered that the proposal would appear incongruous and would harm the spatial characteristics of the surrounding area, interrupting the views of Milton Avenue from its entrance and thereby detracting from its appearance.

Although it is not considered that the proposal would have an adverse impact on the amenities of neighbouring, the above mentioned concerns regarding the impact of the proposal on the character and appearance of the surrounding area are such that, on balance, the development would not accord with relevant planning policies.

It is therefore recommended that the application is refused for the following reason.

RECOMMENDATION

REFUSE

1 The proposal would form an obtrusive and incongruous feature in a prominent position in the locality by way of unbalancing the linear arrangement of dwellings on Milton Avenue, compromising the established spacious and uniform appearance and spatial characteristics of the road, to the detriment of the character and appearance of the surrounding area.

It would therefore conflict with policy GEN7 of the Arun District Local Plan.