PLANNING APPLICATION REPORT

REF NO: R/223/09/

LOCATION: 2 Normanhurst Close
Rustington

PROPOSAL: Renewal of unimplemented planning permission R/319/06 for a single detached house and garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The dwelling will measure approximately 6.6m x 7.8m x 7m high. The garage will measure approximately 2.8m x 4.4m x 2.6m high.
SITE AREA	0.027 hectares.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Hedging approximately 2.5m high to northern boundary adjoining Sutton Avenue and the western boundary adjoining Broadmark Lane. Front eastern boundary open to the highway.
SITE CHARACTERISTICS	Semi detached 2 storey property. Render tile hanging elevations, pantiled gabled roof. 2 detached garages to the front of the property.
CHARACTER OF LOCALITY	Sited within a residential area. Mix of types and styles of properties within close proximity.

RELEVANT SITE HISTORY

R/189/98/	Application for single dwelling.	Approve Cond 10-03-1999
R/194/01/	Single detached house and garage	Approve Cond 18-12-2001
R/319/06/	Renewal of unimplemented permission R/194/01 for a single detached house and garage.	Approve Cond 25-01-2007

REPRESENTATIONS

Representations received:

Rustington Parish Council
No objection.

2 Letters of Objection:

Will encroach on view of neighbouring properties. North facing windows would result in loss of privacy. Large green hedging surrounding site, would object to works taking place in bird nesting season. Increased parking problems. Highly intrusive to the properties opposite in 'Ravenscroft'. Safety would require the screen hedging to be removed. Over-development of a small restricted site. Road safety considerations given its proximity with the road junction.

Comments on Representations received:

Comments noted. Views are not a material planning consideration. The properties to the north in Sutton Avenue will be some 20m from the proposed dwelling, with the only available outlook from the proposal being of the street scene. The existing hedging is to remain as screening and therefore will not impact upon nesting birds. No highway objections on safety grounds. The site is considered to be of an acceptable size to accommodate the proposed dwelling with amenity areas to the front and rear of the property. The design and scale is in keeping with the surrounding area.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways: Utilises the existing access onto Normanhurst Close, does therefore not appear to be a visibility issue at the existing point of access. Beneficial for details of car parking to be confirmed, on the basis of 2 spaces proposed no highway safety issues would arise. Recommend cycle parking by condition.

Comments on Consultation responses:

Comments noted. Given the provision of a garage a condition requiring cycle parking is not considered to be required.

POLICY CONTEXT

Designation applicable to site:
Within the Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

South East Plan:		
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."

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

The proposal seeks permission for the renewal of an unimplemented planning permission R/319/06, for a single detached house and garage.

Since the previous approval R/319/06 the West Sussex Structure Plan is now cancelled. The omission of relevant policies are not considered material to the determination of this application. The proposal is not considered to be obtrusive within the street scene and will therefore not impact upon the character and appearance of the surrounding residential area. The addition maintains the previously approved fenestration and scale which are considered to not give rise to unacceptable loss of amenity to neighbouring properties by way of the overbearing affect, overlooking or loss of light. There has been no material change in planning circumstances since the previous approval.

It is therefore recommended that the application be 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 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the south elevation of the dwelling hereby permitted which adjoins the side boundary with Sutton Avenue without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

3 The dwelling shall be constructed from the materials as stated on the approved plan 627/1 and any change to the materials hereby approved shall be agreed in writing with

the Local Planning Authority.

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 This permission relates to the following approved plans, drawing No. 627/1.

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.

5 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.

6 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 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.