

REPORT UPDATE

Application No: R/49/09/

Reason for the Update / Changes

Reason for Update/Changes:

Substitute plans have been received on 7th May, 2009 for minor changes to the front and west elevation of the dwelling. The style of window on the front elevation at first floor level which serves the dressing room and the door on the west side elevation is to be repositioned.

Officers Comment:

Condition No 3 which relates to samples has been amended.
Condition No 4 which relates to substitute plans has been amended.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

R/49/09/

PLANNING APPLICATION REPORT

REF NO: R/49/09/

LOCATION: 8 Bushby Avenue
Rustington

PROPOSAL: House & detached garage (Amendment to previously approved R/271/08).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Amendment to R/271/08 for new dwelling to include a detached garage in the rear garden. The proposed garage measures approximately 4.5m in width, 8.4m in depth and 4.5m (maximum) in height.
SITE AREA	Approximately 568 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A

TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed garage. Pine tree to the front of the site which is to be retained.
BOUNDARY TREATMENT	Front boundary is open, rear boundary has close boarded fencing on concrete plinth approximately 2.2m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	At the time of the officer's visit the dwelling had been demolished and the site cleared.
CHARACTER OF LOCALITY	Private residential estate comprising detached dwellings which are a mixture of chalet and two storey properties.

RELEVANT SITE HISTORY

R/190/08/	Extensions	Approve Cond 15-10-2008
R/271/08/	Demolish existing dwelling and erect new house	Approve Cond 19-01-2009

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish Council

Objection.

The proposed garage and the formation of a vehicle access to the public highway at this point would add to the hazards of highway users to an unacceptable degree and the introduction of a new vehicle access on a stretch of the road, namely Waverley Road, where no accesses of this type currently exist, would most certainly prove to be to the further detriment of highway users.

The proposal would, if approved, create a precedent which could result in more similar proposals in the vicinity, the cumulative effect of which would be to alter the character of the locality to the serious detriment of the amenities of the area.

2 Letters of Objection

Parking in the cul-de-sac is an issue at the present time and the creation of a new access would create additional problems with turning into Waverley Road.

Comments on Representations received:

Comments noted.

It is not considered that the erection of a single garage and the formation of a vehicle access onto the service road would create any significant increase in vehicular use. County Highways have been consulted and have raised no objection on the grounds of highway safety.

CONSULTATIONS

WSSC Local Development Divis.

Consultations responses received:

County Highways

No objection

The proposal is for a house and detached garage with access onto Waverley Road via a new access point. The particular part of Waverley Road that the property will access is not maintained by West Sussex County Council. There is no visibility issue at the point of access onto Waverley Road indicating a low risk of highway safety. Covered cycle parking is to be provided within the site.

Comments on Consultation responses:

Comments noted. It is not considered appropriate to impose a condition regarding cycle parking as there is sufficient space within the site and garage for storage of cycles.

POLICY CONTEXT

Within Built Up Area Boundary

Private Street

Tree Preservation Order

Permitted Development Restriction relates to R/190/08

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	CH1	Character
	DEV1	High Quality Development
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 site is located on a private residential estate with detached properties that are set well back from the road frontage with mature landscaping in the form of trees and hedging.

At the time of the officer's visit the property had been demolished and the site cleared. This application is for a revision to the previous approval R/271/08 which was approved on the 19th January, 2009 for a detached dwelling. The approved dwelling remains the same and this application seeks to construct a detached garage to the rear of the property with access from Waverley Road. The detached garage which has a pitched roof is of brick construction with a tiled roof that will match the new dwelling. Substitute plans have been received which reduce the overall size and height of the garage.

The service road to properties in Waverley Court and associated garages is a private road. County Highway's have been consulted and have raised no objection with regard to visibility and safety issues. However, they have advised that a condition be imposed regarding cycle parking. In this instance it is not appropriate to impose a condition as the site is relatively large and cycle storage can be accommodated in the garage.

It is not considered that the construction of a garage and new access would detrimentally harm the character or appearance of the established residential area.

It is therefore recommended that the application be approved, subject

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 existing Pine tree to the front of the site shall be protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 The materials to be used in the construction of the dwelling and garage hereby approved shall be in accordance with the agents e-mail dated 14th May, 2009 and the samples submitted on the 6th May, 2009 and the materials so approved shall be used in the construction of the buildings.

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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 This permission relates to the garage plans as submitted and amended by substitute plans dated 21st April, 2009 and the new dwelling plans dated 7th May, 2009.

Reason: For the avoidance of doubt.

- 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

STRUCTURE PLAN: DEV1, CH1, LOC1

LOCAL PLAN: GEN7, GEN2

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.