

PLANNING APPLICATION REPORT**REF NO:** R/79/09/**LOCATION:** Little Stars
Ascot Way
Rustington**PROPOSAL:** Demolition of existing playgroup building and erection of replacement playgroup building.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to demolish the existing playgroup building and replace it with a larger building, measuring approx.12metres x 10metres in area. The footprint would be increased by 4.7 sq. metres. The building would be closer to the eastern and northern boundary of the site. The building would remain single storey in height and be of a similar design.
SITE AREA	.021 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8 metres high panel fencing to site boundaries except for parking area 1.6metres high wall on this boundary.
SITE CHARACTERISTICS	Play area and equipment/shed to rear of single storey building used as nursery. Footpath adjacent to fencing. Flat roofed prefabricated building at present. Painted clad elevations. Three storey properties, terraced on corner of Sheepfold Avenue. Opposite two storey dwellings. Garage compound on southern boundary.
CHARACTER OF LOCALITY	Predominantly residential characterised by a mix of dwelling type and design.

RELEVANT SITE HISTORY

R/207/89	Relocation of playgroup hut	Approve Cond 20-11-1989
R/151/91	Application under Regulation 4 of the Town and Country Planning General Regulations 1976 for replacement and extension of a fence	Deemed Perm Cnd 13-11-1991

R/157/92	Renewal of Temporary Planning Permission R/207/89 for siting of playgroup hut	Approve Cond 20-11-1992
R/151/95	Renewal of temporary planning permission R/157/92 for siting of playgroup hut	Approve Cond 04-12-1995

REPRESENTATIONS

Representations received:

Rustington Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Playschool Registration Unit

Environmental Health

Consultations responses received:

Environmental Health Officer : Food preparation and storage would be dealt with under Food Safety legislation. No comments or objections in relation to noise/pollution.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan: [GEN7](#) The Form of New Development

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity. There are no relevant policies in the South East Plan.

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 proposed replacement building would be larger than the existing. It would have a total floor area of 110 sq. metres. The building would be visually more prominent given the increased width and depth of the building. However the structure would remain single storey and a gap would be retained to the west boundary. The existing building has fences enclosing the rear and the structure does not project significantly above this demarcation. The street scene would therefore appear little altered as a result of the development

The building would be no closer to residential properties. The eastern side boundary adjoins an open space area. The site would not erode or encroach onto this area. It is not proposed to increase the hours of operation of the play school or the number of staff. Noise and activity levels would therefore be unlikely to increase significantly as a result of the development and there would no adverse effect on residential amenity.

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

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 building hereby approved shall be used solely for playgroup purposes and for no other purpose whatsoever.

Reason: In the interests of the amenities of the occupiers of nearby residential properties in accordance with policy GEN7 of 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

R/79/09/

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

NATIONAL POLICIES: PPS1

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