

AB/13/09/**PLANNING APPLICATION REPORT****REF NO:** AB/13/09/**LOCATION:** Land Adjacent To
1 Anne Howard Gardens
Arundel**PROPOSAL:** Proposed 3 bedroom dwelling (resubmission of planning application AB/68/06)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is for a detached 3 bedroom dwelling with a two and a half storey height. A bedroom and en suite would be provided in the roof area.
SITE AREA	.03 hectares
RESIDENTIAL DEVELOPMENT DEN	33 dwellings per hectare
TOPOGRAPHY	Land slopes steeply to A29
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2m high brick wall to road side. Front gardens open except of low hedging.
SITE CHARACTERISTICS	Anne Howard Gardens semi-detached two storey houses. Brick elevations. Plain tile roof. No windows in side elevation of last house. Currently garden area to no. 1. Parking space on road to side. Existing gap in wall adjacent to gravelled parking area. No dormer windows in Anne Howard Gardens at present.
CHARACTER OF LOCALITY	Predominantly residential characterised by detached and semi detached dwellings of varying design.

RELEVANT SITE HISTORY

AB/68/06/	Construction of 1 no. new two storey residential cottage.	Approve Cond 02-08-2006
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REPRESENTATIONS**Representations received:**

Arundel Town Council

Arundel Town Council. No objection.

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One letter of objection. Original application AB/68/06 which this is intended to replace is for an extra house at the end of a line of similar houses of similar design. The present proposal turns away from any such idea of neighbourhood. It seeks to insert a building very different from those now in place. It is not in keeping with the neighbourhood, in which there is no house in the 'Arundel Estate' style. If approved suggest conditions are included to preserve the privacy in the gardens of the houses in London Road, the windows in the north east and north west faces of the new top floor should be glazed with an opaque glass. To retain some fitness with the existing houses in Anne Howard Gardens the roof line and the line of the guttering of the new house should be level with this.

The conditions imposed by Southern Water on the earlier application should be repeated. Presumably vehicular access to the new property would be through the existing gateway in the boundary wall.

It is considered the design of the dwelling is acceptable. The dwelling is not significantly higher than that previously approved. The site is located on a slope and an increase in height to eaves from that at No. 1 Anne Howard Gardens would not be visually inappropriate.

Comments on Representations received:

It is agreed that the window at second floor level in the north west elevation and velux in the north east elevation should be obscure glazed to prevent any adverse overlooking. Access is existing.

CONSULTATIONS

WSSC Local Development Divis.
Conservation Officer
Chairman - CAAC

Consultations responses received:

County Highways. No objection conditions suggested.
Conservation Area Advisory Committee. Objection, loss of part of existing walling work be regretted. More information required.

Comments on Consultation responses:

Agent has confirmed one parking space is to be provided and section of wall to be 2.9 metres long and is to facilitate vehicular and pedestrian access. This represents one section of walling between the existing buttresses.

POLICY CONTEXT

Within built up boundary within designated conservation area.

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	DEV1 CH1 CH4	High Quality Development Character Conservation Areas and Historic Towns and Villages
	CH5	Buildings of Architectural or historical importance
Arun District Local Plan:	GEN7 AREA2	The Form of New Development Conservation Areas

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPG3	Housing

AB/13/09/**PPG15 Planning and the Historic Environment****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.

LISTED

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

CONSERVATION AREA

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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.

LISTED/CA

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

AB/13/09/**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 is an amendment to an earlier approval for a three bedroom dwelling on the site. The principle of a dwelling on the site is therefore established. The main changes to the proposal are that the entrance has been moved to Anne Howard Gardens, there are now rooms in the roof, although the number of bedrooms remains three, the curtilage has increased, the building set back further behind 1 Anne Howard Gardens, the design has been amended. Ridge and eaves length would reflect those in Anne Howard Gardens. The roof has been stepped to reduce its bulk.

It is considered these changes are acceptable. Windows have been added in the roof, but it is proposed to control those on the north west and north east elevations, be obscure glazed to prevent any material loss of privacy. The bulk and position of the building is largely as previously approved.

The building would be constructed of plain clay tiles with exposed rafter feet and brickwork which are materials found in this locality. The dwelling would have a traditional design and would not appear as a prominent or obtrusive feature in the street scene or adversely affect the character and appearance of the conservation area or the setting of 9 and 11 London Road which are listed buildings.

The application is therefore 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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed dwelling have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and setting of the the Listed Building 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.

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- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 There is a public sewer located on the site, which must be identified and in order to protect drainage apparatus, details are required in writing, in consultation with Southern Water, of measures which will be undertaken to divert the public sewer prior to the commencement of the development.

Reason: To ensure that the development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 and GEN9 of the Arun District Local Plan.

- 5 The development shall not proceed until details of the proposed surface water drainage and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN9 of the Arun District Local Plan.

- 6 The building hereby permitted shall not be occupied until provision for car parking has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 7 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,CH4,CH4

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LOCAL PLAN: GEN7,AREA2

NATIONAL POLICIES: PPS1,PPS3,PPG15

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

- 8 **INFORMATIVE:** The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

- 9 **INFORMATIVE**

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire or www.southernwater.co.uk.