Appendix 1

AB/94/06

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Demolition of existing bungalow and development of two four bedroom houses (Resubmission following AB/47/06) Three Oaks, Pearson Road, Arundel

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.795 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	25 dwellings per hectare.
TOPOGRAPHY	Slopes down from the road.
TREES	Several good oaks on the boundary.
BOUNDARY TREATMENT	Fencing to sides and front with mature hedging.
SITE CHARACTERISTICS	Detached bungalow with side garage.
CHARACTER OF LOCALITY	Residential road, house opposite. To the side is a house. The remainder of the road are semi-detached houses.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AB/47/06	Demolition of existing bungalow and development of 2 No. four bedroom detached houses.	Withdrawn 24/5/06

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Arundel Town Council	No objections provided the three Oak trees are protected and have Tree Preservation Orders placed on them.
Others	None
12 letters of objection 1 standard letter	Out of character. Will affect the Oak trees and ruin the garden. Inadequate parking. Will add to existing traffic problems. Will be overbearing and not as attractive as the existing bungalow. Will add to pressure on drainage. There is not a one-metre gap between the boundary and the buildings. Will ruin outlook, devalue property and affect privacy. Construction would be disruptive. Will create overlooking. Removal of trees would spoil the area. Would be overbearing. Would be out of the price range for young Arundel people.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No objection – each unit provides a garage and hardstanding capable of accommodating 2 vehicles. Visibility is acceptable.
Council's Arborculturalist	There should be no problem with regard to tree 3 however with trees 1

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	and 2 there will be concerns as they are close to the proposed development their situation being that they would cut across the recommendations of BS 5837 for trees in relation to construction. A condition should be imposed that the applicant must submit and have approved in writing calculations showing how the trees will be protected.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7, GEN28

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPG 3 - Housing

POLICY COMMENTARY

The above policies combine to describe the development control criteria against which this application will be determined particularly with regard to the effect on the street scene and the Oak trees on the side boundary.

COMMENT ON CONSULTATION RESPONSES

Noted. The applicant has confirmed that the piled form of foundations will be designed to fully protect and preserve the existing trees on site.

COMMENT ON REPRESENTATIONS RECEIVED

Noted. It is considered that the dwellings would not be out of character as this part of Pearson Road is characterised by houses. The Oak trees will be protected as confirmed by the applicant and the Council will be serving a Tree Preservation Order on the trees. The County Highways is satisfied by the proposal. It is considered that there is sufficient space between the properties. Property values are not a material consideration. It is not considered that the proposed design would create any demonstrable overlooking given the distances between properties.

ASSESSMENT OF PROPOSAL

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 the proposed

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

houses are in character with the area and are designed to avoid any demonstrable overlooking. A condition will be imposed to protect the Oak trees on the side boundary.

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 at the southern end of Pearson Road and is currently occupied by a detached bungalow. A previous application (AB/47/06) was withdrawn and resubmitted with smaller houses re-orientated to protect the trees on the north side boundary.

This application is for two detached houses with the windows height being at a maximum of 4.5 metres. The distances between the proposed dwellings and neighbouring properties would be 18m. and more to the south; 30m. to the west; 22m. to the north; with no properties, only gardens to the east, thereby the development would not create any direct overlooking of neighbouring properties.

The trees on the north side boundary are to be the subject of a Tree Preservation Order (to be confirmed subject to the normal legal constraints). The Council's Arboriculturalist has raised no objection provided the applicant submits calculations to be approved in writing that development will be in accordance with BS 5837 with regard to protecting the Oak trees. Indeed the landscaping report submitted with the application recommends that the ground beam be excavated by hand where any root activity found, be carefully preserved and sleeved through the foundations. This would ensure the minimum impact upon the trees root system.

The design of the houses is not out of character with this area of Pearson Road, which is a mixture of styles which integrates with Torten Hill Road in characteristic. Uniformity of design with the semi-detached housing does not occur until north of the footpath to the north side of the site.

There are no demonstrable effects on either neighbours or the street scene. Therefore, it is recommended that the application is approved subject to the conditions set out overleaf.

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Three Oaks
Pearson Road
Arundel

RECOMMENDATION

Deferred

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 roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority 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.

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3 The access to the proposed site shall be laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

These splays shall be:-

(1) 1.5 metres by 1.5 metres on each side of the proposed access based on the existing highway boundary.

No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

4 The buildings shall not be occupied until the parking spaces and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and garaging of vehicles.

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

5 Where any root activity is found, the ground beam shall be excavated by hand and the roots carefully preserved and sleeved through the foundation.

Reason: In the interests of protection of the trees which contribute to the visual amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

6 No work shall be carried out on the site unless and until details and calculation of the protection of the oak trees on the side boundary have been submitted to and approved by the Local Planning Authority in accordance with BS 5837.

Reason: In the interests of the environment of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

7 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

8 INFORMATIVE: The building shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the Local Planning Authority. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

REPORT UPDATE

Application No :	AB/94/06/
Agenda Page No :	23

Reason for the Update

- Recommendation sheet

The recommendation sheet has been corrected to read, 'Approved Conditions'.

Officer Comment:

A copy of the revised recommendation sheet is attached.

Note: Changes to recommendations, conditions and/or reasons for approval will always be accompanied by a new replacement recommendation sheet.

ARUNDEL

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Pearson Road
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