

PLANNING APPLICATION REPORT**REF NO:** **AW/262/11/****LOCATION:** 9 Kingsway
 Bognor Regis**PROPOSAL:** New driveway, hardstanding & landscaping**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks consent for a driveway, hardstanding and landscaping.
SITE AREA	Approximately 1,574 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front boundary is a low brick wall with vegetation. Side boundary adjoining No. 5 comprises a 2 metre brick wall and the side boundary to No. 11 is a close boarded timber fence with trellis, approximately 1.8 metres high.
SITE CHARACTERISTICS	Modern, two storey detached dwelling with brick elevations, hipped tiled roof and uPVC windows.
CHARACTER OF LOCALITY	Within Craigweil House Conservation Area. Private residential estate comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/91/87	Proposed garage to kitchen conversion	Permit'd Devel 04-06-1987
AW/20/90	Two storey extension for new lounge and bedroom with en-suite bathroom	Approve Cond 12-03-1990
AW/61/92	Two storey side extension and front porch.	Approve Cond 27-04-1992
AW/3/04/	Single storey front garage extension & rear extension	Approve Cond 05-05-2004

AW/155/11/	New driveway & hardstanding	Refused 05-10-2011
BR/106/53	Detached house with garage	Approve 22-05-1953
BR/175/63	Tree lopping and trimming	Approve Cond 20-01-1964
BR/217/67	Dwelling & garage	Refused 12-06-1967

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection. Members have no objection to the application.

1 Letter of Support:-

Previous gravel driveway was unkempt and full of weeds. The current hardstanding is a considerable improvement on the visual appearance of the front of the property and a new flowerbed has been created with some pleasant planting.

1 Letter of Objection from CHECAA:-

Note the content of this further application. This is the simplest of amendments to previously refused AW/155/11, without addressing the main objection of Members, excessive proportion of hardstanding. It has simply added a minimal amount of bordering, but retaining a high percentage of hard landscaping across the front of the property. Application therefore contravenes policy AREA2 as it fails to conserve or enhance the CA, and policy GEN7ii), as it fails to respond to the characteristics and resources of the site and the area, nor respect, protect or enhance local distinctiveness. Granting permission will create a precedent. There is no material planning matter to prevent the applicant from opening a new driveway to west of the frontage, thereby creating an 'in and out' driveway.

Concern remains that the low wall at the front of the property may be removed under permitted development to provide an 'in and out' driveway, thereby destroying the principle of retaining the open character of the frontages to properties in the area. The precedent would be set for other properties, further undermining one of the principal characteristics of the area.

1 Letter of Objection:-

Essentially, the design is the same and no attempt has been made to amend the layout which, from the public viewpoint in the service road, remains a mass of block paving with scant small views of small vegetated areas. In order to prevent any future development of an in and out driveway, request that a condition be added to any consent withdrawing permitted development rights for any demolition, partial demolition or modification of the front (south) garden wall. Request that the application be refused and that a landscape design of a garden and not a parking area be required to be submitted by the applicant for this application is no more than a slight modification of that refused.

Comments on Representations received:

Comments noted. It is noted that the Conservation Area is the subject of an Article 4 Direction to control hardstandings and driveways to the front of properties, which would not normally require planning permission. Additional soft landscaping and lawned area is proposed, in an attempt to reduce the amount of hardstanding and to mitigate the visual impact on the character and appearance of the Conservation Area. The application as submitted does not indicate the removal of a portion of the front boundary wall or the creation of an 'in and out' driveway.

CONSULTATIONS

Conservation Area Advisory Com

Consultations responses received:

Conservation Advisory Committee: No objection. It would appear to be a slight improvement.

Conservation Officer: The application before me, like the previous one, is a retrospective planning application and concerns the provision of a replacement hardstanding to the front of a property within the Craigweil House Conservation Area. An application is required in this instance due to the adoption of an Article 4 Direction which removed the permitted development rights for hardstandings in the Conservation Area.

The aims and intentions of this Article 4 Direction is to enable the Council to retain control over the development of hardstanding so that it does not detract from the character or appearance of the Conservation Area. Each proposal for hardstanding will therefore be considered on its own merits.

The current application is a revision of a previous one which was refused by the LPA. It was considered that an excessive amount of the front garden had been covered by the hardstanding. In addition, it was felt that the proposal failed to provide sufficient relief in the form of green areas which resulted in a harsh hard landscaped form of development. Consequently as a result, it was thought to be detrimental to the character and appearance of the Conservation Area.

The applicant has made an attempt to increase the amount of soft landscaping whilst at the same time reducing the amount of hard landscaping. The area of soft landscaping in application AW/155/11 covered an area of approximately 55 square metres, whilst in the current proposal it is approximately 90 square metres. This is an increase of some 35 square metres, which equates to increase from 24% coverage to 40%.

Whilst this increase in soft landscaping is supported, the proposal should be accompanied by a landscaping and planting scheme so that it helps to minimise its impact on the area. In addition it would also increase the amount of vegetation present in the locality. Therefore, if this application is to be approved, information regarding the provision of a landscaping/planting scheme should be required by condition so that its impact can be minimised.

Comments on Consultation responses:

Comments noted. A landscape condition is recommended.

POLICY CONTEXT

Designation applicable to site:

No public sewer

Permitted development restriction

Tree Preservation Order

Article 4 Direction

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment

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, and to the character and appearance of the Conservation Area.

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.

Where the building is located in a Conservation Area, Section 71(1) of the 1990 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 and appearance of the Conservation 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

BACKGROUND

The application is re-submission of AW/155/11/, which refused retrospective planning permission for a new driveway and hardstanding. The hardstanding and driveway was considered to be excessive in site coverage, resulting in a harsh landscaped form of development, harmful to the character and appearance of the Craigweil House Conservation Area.

The applicant has sought to address the reason for refusal with additional lawned areas and soft landscaping proposed along the side and front boundaries of the front garden, in order to reduce the hard landscaped element and mitigate the visual impact on the surrounding Conservation Area.

PRINCIPLE

Craigweil House Conservation Area is subject to an Article 4 Direction, which was adopted by the Council on 30 November 2010. The Article 4 Direction brings under the control of the Local Planning Authority the development of verges and the extent to which hardstandings may be undertaken to the front gardens of properties within the Conservation Area. This means that where hardstandings are proposed in the Craigweil Conservation Area, a planning application is required where normally planning legislation allows hard standings without the need to obtain planning permission.

The front garden covers an area of approximately 229 sq metres. The proposed driveway/hardstanding covers an area of approximately 138 sq metres and is surfaced with permeable brick paving with contrasting dark edging. The paving replaces a surface of brick shingle with paving blocks that are of regular size and creates a uniform, even surface to the front garden. Lawned areas and increased soft landscaping is proposed to the front and side boundaries adjoining No. 5 and 11. The current scheme has a total soft landscaped area of 91 sq metres, as opposed to 55 sq metres under the refused scheme. This represents an increase of 16% to a site coverage percentage of 40%.

VISUAL AMENITY

The application property is set back from the streetscene along Kingsway on a secondary access road and is largely screened from the highway by mature trees and shrubs directly to the front of the site.

The front boundary is a low brick wall and the existing planting along the front boundary will be bolstered by proposed additional planting and soft landscaping. The limited views of the vehicular access and driveway will be softened with the introduction of a lawn and flower borders, adjacent to the side boundary of No. 11. The visual impact would be greater on a more exposed property, fronting directly onto the road. However, given the setback and the creation of additional soft landscaping, flower beds and lawned areas, the current scheme is considered to mitigate the visual impact and reduce the hard landscaped appearance of the site to an acceptable level. Whilst the applicant has sought to further increase soft landscaping to the front boundary, any further landscaping would preclude access for cars accessing and exiting the garage. It is recommended that a detailed landscaping and planting scheme is secured by condition.

SUMMARY

In summary, the revised scheme reduces the extent of hardstanding and introduces additional soft landscaping, flower beds and lawns extending to 91 sq metres, which is 40% of site coverage. The increase soft landscaping, combined with the reduction in hard surfacing materials means that the proposal is not considered to harm the visual amenity of the locality or the character and appearance of the Craigweil House Conservation Area.

It is therefore recommended that planning permission is granted, 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 The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan, Site Plan, Ground Floor Plan Rev B, received on 20 October 2010.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No further development shall take place until there has been submitted to, and approved by the Local Planning Authority, a landscaping scheme including details of soft landscaping and details of existing trees and hedgerows to be retained. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the grant of planning permission, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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: GEN7, GEN2, AREA2

NATIONAL POLICIES: PPS1, PPS5

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.