AW/52/06

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Form second set of gates and pillars to new drive and vehicular access and reposition ornamental well The Well House, 96 The Fairway, Aldwick

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	Trees on front boundary - medium size Beech trees. One small ornamental Palm tree on verge will be removed (not worthy of Tree Preservation Order).
BOUNDARY TREATMENT	1.5 brick wall to front
SITE CHARACTERISTICS	Large detached, red brick, tiled roof. To left front is an ornamental tiled pitched roof ornamental well. Access gate at right side.
CHARACTER OF LOCALITY	Residential, large house of individual size and style.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AW/24/06/T	Various tree surgery.	Approved Conditionally 12/4/06

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldwick Parish Council	Objection. The proposed new entrance would require 1 Beech tree and 2 Palms to be felled. The Beech tree has a TPO on it and a previous application to fell it was refused. The old wall is distinctive and should not be felled.
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Conservation Officer	The proposal would not detract from the Conservation Area. However difficult to see how it could be achieved without damaging existing trees.
Conservation Area Advisory Committee	Objection. Removal of trees on verge would adversely affect the street scene.

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Conservation Area Tree Preservation Order Structures or Buildings of Special Character

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, LOC1, CH4
Arun District Local Plan : GEN7, AREA2, GEN22

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPG15 - Planning and the Historic Environment

POLICY COMMENTARY

The above policies combine to describe the development control criteria against which all proposals will be determined by the authority, particularly with regard to the effect on the street scene and Conservation Area.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

A Tree Preservation Order was placed on the Beech tree resulting from the previous application (AW/24/06/T) and therefore this prevented the felling of this tree.

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 conflict with relevant Development Plan policies in that the removal of trees to create a new vehicular access would have an adverse effect within the street scene and Conservation Area. Specifically it would entail the removal of a Beech tree which is covered by a Tree Preservation Order.

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 new access would not create any adverse effects on the street scene, it would be in

CONCLUSIONS

keeping with the traditional circular driveways to large houses.

The relocating of the ornamental well would not adversely affect neighbours, as it is proposed to move the structure away from the boundary. Its relocation would have no impact on the street scene.

However, the proposal would entail the removal of a Beech tree (T3) which is covered by a Tree Preservation Order and application AW/24/06/T resulted in the Tree Preservation Order to cover the Beech tree.

Also the proposal would possibly affect the Acer (T4) by damaging or compacting roots. An ornamental Palm tree would also be required to be removed, however, this would not be worthy of a Tree Preservation Order.

The proposed new drive and new vehicular access would not in themselves cause any adverse effects however the removal of a tree covered by a Tree Preservation Order and the possible damage to other trees would have an adverse effect on both the street scene and the Conservation Area. Therefore it is recommended that the application is refused for the reasons set out overleaf.

ALDWICK AW/52/06/

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The Well House
96 The Fairway
Aldwick

RECOMMENDATION

Refuse

1 The layout and siting of the proposed new access would result in loss of a tree important in the local landscape and subject to a Tree Preservation Order being located so close to that proposed access and would be likely to result in significant physical damage to other trees, thereby diminishing the health, appearance and longevity of the same in conflict with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.