PLANNING APPLICATION REPORT

REF NO: BE/78/08/

LOCATION: 341 Chichester Road
Bognor Regis

PROPOSAL: Erection of 1 no. 3 bedroom house on land adjacent to 341 Chichester Road. (Revised vehicular access to rear)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Detached 3 bedroom family house to measure (at maximum) approximately; 8.4m in height, 9m in length, and 11.2m in width
SITE AREA	0.0348
RESIDENTIAL DEVELOPMENT DENSITY (NET)	28 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	Although several to be removed and/or trimmed to rear boundary, none of those affected are worthy of Tree Preservation Order
BOUNDARY TREATMENT	Close boarded fencing approximately 1.8 - 2m in height to side boundary onto Public House. Dwarf brick wall to Chichester Road frontage. Shrubs and small trees to rear (western) boundary.
SITE CHARACTERISTICS	Parcel of garden land currently serving No. 341 Chichester Road (two storey semi-detached property with lower red brick and upper Mock Tudor finish and red clay pantile roof). Consists largely of lawn with some shrubbery, plus several ancillary garden outbuildings.
CHARACTER OF LOCALITY	Residential with two-storey inter and post war period properties of similar style and design. These family-sized properties are largely set in series of terraces, and front onto Chichester Road, a Class 'A' through road. One-and-half storey Public House is adjacent to site to north, with car parking.

RELEVANT SITE HISTORY

BE/68/08/	Outline application for 14 No 1 & 2 bedroom flats on the land currently known as 339/341 Chichester Road.	Refused 14-08-2008
BR/338/80	Erection of 4ft and 6 1/2ft interwoven fences	Approve Cond

at front and rear of land across existing drainage ditch 04-06-1980

REPRESENTATIONS

Representations received:

Bersted Parish Council

Bersted Parish: Objection
Overdevelopment
Access from Bedford Road is inadequate for emergency and service vehicles

West Sussex Wildlife Protection: Land needs checking for possible wildlife. Please contact use for free site survey

Comments on Representations received:

The consultation response from County Highways has indicated no objection and in their consideration regard would have been had to emergency and service vehicle access in assessing acceptability of access. Refuse will be collected from Chichester Road, as per the existing arrangement.

The plots provided to both the new and existing dwellings is considered to satisfactorily accommodate the needs of the occupiers of those dwellings, and is comparable to those properties surrounding, so the proposal is not over development.

No known protected species reside on site, which is garden land. A site survey is therefore unnecessary.

CONSULTATIONS

Head of Highways and Transport

Consultations responses received:

County Highways: No objection, subject to cycle parking and access conditions.

No specific issues identified with regard to highways, therefore Local Development Division would not wish to raise an objection to the proposal subject to any conditions.

The proposal seeks to provide two off-street parking spaces to the front of the dwelling, which will be assessed via the existing dropped kerb access for No. 341. It is not clear if it will be possible for vehicles to turn on-site in order to enter and exit the public highway in a forward gear.

The proposed parking provision is within the standards set out by WSSC, therefore the District Council are required to consider any detriment to on-street parking in the area.

Further to this cycle parking has been stated as two spaces whilst this provision accords with the minimum standards set out by WSCC, there is no indication as to where this is located. WSCC guidance for cycle parking states that this should be provided within a secure and covered facility.

Comments on Consultation responses:

Noted. There is ample space within the site to provide cycle storage. To condition is therefore unnecessary.

Despite no objection being raised in County Highways advice to the Local Planning Authority,

it is considered, from site inspection, that vehicular access to the new dwelling from Chichester Road could pose a highway safety issue because of the question to the ability of vehicles to turn on-site in order to enter and exit onto the public highway in forward gear. Therefore, following negotiation with the agent, the parking spaces of both the existing and proposed properties have been relocated to the rear of their plots, with access onto an un-adopted highway running to the back of the properties. This highway exhibits the capacity to accommodate the additional vehicular movements, without detriment.

POLICY CONTEXT

Designation applicable to site:
Within Built up area boundary
Class A Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	CH1	Character
	DEV4	Travel Needs and Choices
	ERA1	Making the best use of land
	DEV5	Parking Provision
	DEV1	High Quality Development
	NE1	Level of Residential and Employment Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPG13	Transport

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, character, parking provision, and highway safety and capacity.

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 not have materially adverse effect on visual and residential amenities of the locality, or its character, on parking provision, and on highway safety and capacity.

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 design and layout of this proposal is a result of negotiation between planners and the agent. The site is located within the built up area boundary where the principle of new residential development is acceptable. The amenity land provided to both the new and existing dwellings is considered to satisfactorily accommodate the needs of the occupiers of those dwellings, and is comparable to those properties surrounding.

With regard to visual amenities and character, the position of the new build would not be materially forward of the properties alongside it (Nos. 341 and 399 Chichester Road). Visual enhancement to Chichester Road, which has suffered from widespread loss of front gardens to vehicular hardstanding, is created by locating the parking spaces for both the new and existing properties to the rear of their plots. Effort has been taken in the design of the new property to ensure particular visual aspects in the street scene are carried through into the new development - like the pair of properties alongside it, the new building benefits from a front veranda, and mock Tudor finish at first floor, and to the front gable element (which otherwise would appear quite stark). It is, not, however a poor imitation. It has reproduced those features in a reasonably contemporary way to ensure a property with an individual, compact (its roof is designed in such a way to be in scale and avoid excessive bulk, with an overall height lower than surrounding properties), and domestic character. These aspects ensure the development is very much integrated into the character and appearance of street scene, and would reinforce the surrounding area's sense of place and identity.

With regard to residential amenities, it is recognised the new property would be close to an existing Public House, so the future occupiers would experience some noise disruption from the activities associated with that business. However the orientation of the new property to that of the Public House is such to ensure the impact of those activities would not demonstrably adverse onto future occupiers, and, also, to make sure overlooking from side dormer of the new dwelling onto pub patrons is not unacceptable. Sufficient separation distances exist between the new property and those neighbouring to the front and rear, to avoid adverse impact onto the occupiers of those properties. A certain degree of impact would also result onto the neighbour to the south. However, the retention of approx 2m between the flank walls of the new and existing dwellinghouse buildings avoids overtly adverse overbearing and overshadowing effect. The only first floor window is to be obscure glazed, ensuring the majority of overlooking would be oblique rather than direct, so considered acceptable.

Regarding parking provision, both existing and proposed dwellings exhibit on-site car provision to meet maximum WSCC parking standards. Located to the rear of the site, access to these parking spaces would be off an access road rather than "Class A" Chichester Road. Significantly it is also proposed to relocate the parking spaces of the existing property to the rear of the site. This would be a gain in highway safety for those using Chichester Road, whilst the rear access road exhibits the highway capacity to accommodate the additional vehicular movements without detriment.

It is therefore recommended that the planning application be approved, subject to the following conditions. Because the access arrangements have changed, there is a need to readvertise the application and renotify Bersted Parish Council. Owning to that advertisement period not expiring until after 15th October 2008, it is recommended the decision be delegated to the Head of Planning in consultation with the Chairman of the Development Control Committee.

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 take place until there has been submitted to, and approved by, the Local Planning Authority, a hard/soft landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 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 dwellinghouse building hereby permitted have been submitted to and approved by the Local Planning Authority and the materials and finishes so approved shall be used in the construction of that building.

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.

4 This permission relates to the amended plans submitted on 26-09-2008 and not to the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

5 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

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

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in the side elevations fo the dwellinghouse building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District

Local Plan.

7 No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and the dwellinghouse building hereby permitted shall be occupied until such screen walls and/or fences associated with them have been erected.

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

8 The dwellinghouse building hereby permitted shall not be occupied until the parking spaces 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 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.

9 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, parking provision, highway safety and capacity, and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, NE1, CH1, DEV1, DEV4, DEV5, ERA1

LOCAL PLAN: GEN2, GEN7, GEN9, GEN12

NATIONAL POLICIES: PPS1, PPS3, PPG13

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

10 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in trees for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

11 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and

Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.