

BR/217/07**PLANNING APPLICATION REPORT**

DESCRIPTION/ ADDRESS	- Residential development – one detached with a garage, six semi-detached and six flats 55-57 Victoria Drive, Bognor Regis
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to demolish 55 & 57 Victoria Drive and construct one detached, six semi-detached houses and six flats, with garages, carports or parking spaces, providing approximately 834 sq. metres of accommodation and garage space or carport space or parking space for 20 cars.
SITE AREA	0.3 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	43 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	Fir trees in rear garden but of poor quality.
BOUNDARY TREATMENT	No. 55 – 0.6m high brick wall to front 1.8m high close boarded fencing to south. 2m high hedge to north. No.57 – 1m high stonewall to front.
SITE CHARACTERISTICS	No. 55 detached dwelling. Brown facing brick with clay tile hanging to first floor and roof. No. 57 – stone front elevation with buff bricks to other elevations with a slate roof.
CHARACTER OF LOCALITY	Predominantly residential. Two storey buildings to Marshall Avenue. 1.5 storey buildings to the south with roof lights in the side elevation and two small slit windows.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BR/730/88	Outline application for the erection of 21 single bed sheltered housing units plus one warden unit.	Approved Conditionally 10 th August 1990
BR/118/93	Renewal of unimplemented Outline Planning Permission BR/730/88 for the erection of 21 single bed sheltered housing units plus one warden unit.	Approved Conditionally 8 th October 1993
BR/223/96	Renewal of unimplemented Outline Planning Permission BR/118/93 for the erection of 21 single bed sheltered	Approved Conditionally 26 th November 1996

BR/217/07**RELEVANT PLANNING HISTORY**

BR/263/00	housing units plus one warden unit. Renewal of unimplemented Outline Planning Permission BR/223/96 for the erection of 21 single bed sheltered housing units plus one warden unit	Approved Conditionally 12 th December 2001
BR/417/04	Renewal of unimplemented Outline Planning Permission BR/263/00 for the erection of 21 single bed sheltered housing units plus one warden unit.	Approved Conditionally 19 th January 2005
BR/303/05	Demolition of two existing dwellings and construction of 24 No. two bedroom flats together with car parking and associating works.	Withdrawn 24 th October 2005
BR/442/05	Demolition of two existing dwellings and construction of 24 No. two bedroom flats together with car parking and associating works. (Re-submission following BR/303/05.	Refused 15 th March 2006 Appeal Dismissed
BR/164/06	Demolition of two existing dwellings and construction of 20 two-bedroom flats split between two blocks together with car parking and associated works.	Refused 2 nd August 2006

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	Objection – on the grounds this is un-neighbourly, is changing the face of the area and contributing to the loss of two substantial dwellings. This also appears to be in direct opposition to the BR Master Plan to regenerate and maintain original buildings as part of the town's historic heritage. It is also worthy of note that with more and more of these redevelopments there is no increase in the local infrastructure – doctors, hospitals, dentist, school places, etc., to sustain these pockets of developments.
Local Groups	None
7 letters of objection	- Inadequate capacity for surface water disposal - Un-neighbourly form of development - Out of character with area - Too high - Loss of healthy trees and shrubs - In Area of Special Character - Loss of security - Backland development

BR/217/07**REPRESENTATIONS RECEIVED**

SOURCE	SUMMARY OF CONTENT
	- Flooding - Loss of existing dwellings - Noise from development - Pollution from cars

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Planning Officer	Education requirement of £18,409 Library contribution of £1,896 Fire Service infrastructure of £210
County Highways	Stage One Safety Audit required.
Environment Agency	No objections in principle.
Police	No Comment.
Parks and Greenspace	A commuted sum of £7,000 is required for local play facilities off site. A tree protection plan and landscaping plan need to be submitted.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class 'C' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, CH1, DEV1, DEV3, DEV5, NE2, NE17, ERA1, Arun District Local Plan : GEN7, GEN8, GEN9, GEN12, GEN18, GEN33
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PLANNING POLICY GUIDANCE

PPS 1	- Delivering Sustainable Development
PPG 3	- Housing
PPG 13	- 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.
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COMMENT ON CONSULTATION RESPONSES

The Stage One Safety Audit required by Highways can be dealt with by the imposition of a condition on any permission.



BR/217/07**COMMENT ON REPRESENTATIONS RECEIVED**

The proposals are considered acceptable in visual terms and will not adversely affect the residential amenities of next-door neighbours. A 3-storey block of flats to the southeast corner of the site will not appear out of character with the street scene and the distances to next-door properties will not cause undue overlooking or overshadowing. County Highways are satisfied with the parking and access arrangements. The Environment Agency has not objected to the proposal on flooding grounds. Noise from the development is a matter for other legislation.

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 it would have no materially adverse effect on either the visual amenities of the locality or residential amenities of adjoining properties, nor would it have an adverse impact on the established character of the surrounding 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

The site lies within the built-up area as defined in the Arun District Local Plan where the principle of residential development is acceptable as long as normal development control criteria are met. Outline planning permission already exists on the site for the demolition of the existing buildings and the erection of a block of flats for sheltered accommodation. The proposal is for the erection of a 3-storey block of flats in the southeast part of the site with a single 2-storey dwelling in the northeast. To the rear of the site are two sets of semi-detached dwellings 1½-storeys in height. In the middle to the site are 2 semi-detached dwellings at 1½ and 2-storeys in height. It is considered that the proposals will be acceptable in visual terms within the existing street scene. The 2-storey dwelling will be next to the existing 2-storey building on the corner of Victoria Drive and Marshall Avenue. The 3-storey flats will be adjacent to the car park of the units at Hambledon Place.

On the other side of the car park is a 3-storey block of flats facing Victoria Drive.

There will be no unreasonable overlooking or overshadowing of adjacent properties. Units 1 and 2 lie a minimum of 21 metres from No.3 Marshall Avenue and a greater distance from No.5. The side elevation of units 5 and 6 lies a minimum of 24 metres from the properties on Marshall Avenue and a minimum of 2 metres from the boundary. Units 3, 4, 5 and 6 lie between 7 – 10 metres of the rear boundary.

County Highways are satisfied with the parking arrangements. They consider that 26 spaces

BR/217/07**CONCLUSIONS**

are acceptable. The access would be subject to a Stage One Safety Audit and this can be conditioned on any planning permission.

It is, therefore, recommended that the application be approved subject to the conditions set out overleaf as long as a Section 106 Unilateral Undertaking is received for the infrastructure contributions by 8th October 2007. If no Section 106 Unilateral Undertaking is received by this date, then the application will be refused on the grounds of lack of infrastructure requirements.

BOGNOR REGIS

BR/217/07/

Residential development - one detached with a garage, six semi-detached and six flats

55 & 57 Victoria Drive
Bognor Regis

RECOMMENDATION

Approve Conditions

- 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 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.

- 3 The buildings shall not be occupied until the parking spaces, turning facilities 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, turning 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.

- 4 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 5 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons 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 5 years from the completion of the 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.

- 7 No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 8 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 no buildings 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.

- 9 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 in the north wall of plots 1 and 2 and the side elevations of plots 6 and 3 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 of the Arun District Local Plan.

- 10 Details of a stage one safety audit shall be submitted to and approved in writing by the local planning authority before development is commenced.

Reason: In the interests of highway safety in accordance with policy NE17 of the West Sussex Structure Plan.

- 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.

- 12 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, LOC1, CH1, DEV3, DEV5, NE2, NE17, ERA1

LOCAL PLAN: GEN7, GEN8, GEN9, GEN12, GEN18, GEN33,

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.

