

BR/225/07**PLANNING APPLICATIONS REPORT**

DESCRIPTION/ ADDRESS	- Demolition of existing dwelling and erection of two detached houses with new drives. 21 Somerset Gardens, Bersted.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	2no. two storey dwellings with integral garages. Each dwelling measures approximately; 9.85m in width, 8.5m in depth and 7.85m in height. Each property will have a vehicular access via Somerset Gardens. The property on plot one is constructed in brick and the property on plot two is constructed in brick in the main with the upper front elevation partially rendered.
SITE AREA	0.0791 hectares approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	25 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	There are a number of trees on the site of varying maturity and amenity value. Those of particular public visual amenity value are sited along the south west boundary along Chichester Road. The Council's Arboriculturalist has made an assessment of the trees however and as a result of those findings and the assessment made by the planning officer, none of the trees are considered worthy of a Tree Preservation Order.
BOUNDARY TREATMENT	The boundary treatment consists of a mixture of low walling and mature hedging which provides a good screen around the site. The hedging along Somerset Gardens is approximately 4m in height and the front boundary to Chichester Road is currently well screened by the existing trees.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow with pebble dash rendered elevations and hipped slate roof with porch to front and a rear extension. The site has an existing separate foot and vehicular access off Somerset Gardens.
CHARACTER OF LOCALITY	<i>area</i> The site is situated within a predominantly residential within a cul-de-sac of similar style two storey terraced properties. The residential development along Chichester Road on the south side consists largely of two storey semi detached similar style properties and on the north side the properties are predominantly a

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mix of detached bungalows and two storey dwellings of varying designs.
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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	No objection
LOCAL GROUPS	None
Two letters of objection	Concern over parking provision and lack of parking within Somerset Gardens for visitors. Discrepancies concerning the trees and hedgerows on the site. Overlooking to number 64 and 68 Chichester Road. Affect on property price. Disturbance caused by building work. Affect on character of Somerset Gardens.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	The Evergreen Oak on the boundary with Chichester Road is part of a group of three Evergreen Oaks, two of which are within the site. The one on the western side seems to be quite dangerous and rotten. The second tree in the centre of the ground is the best of the group and grows upwards. The only disadvantage however is that it is multi stemmed from the base and this could cause problems in the future.
County Highways	No objections – access to each of the two new dwellings will be via single driveways leading from Somerset Gardens. Each unit is provided with an integral garage and a hardstanding area for one car in front of the garage. The existing gateway at the northern end of the Somerset Gardens frontage will be closed. Conditions recommended.

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, CH1, NE17 Arun District Local Plan : GEN7, GEN12
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BR/225/07**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.

COMMENT ON CONSULTATION RESPONSES

It is noted that the best of the two Evergreen Oaks to the front of the site is multi stemmed from the base which 'may cause problems in the future'. It is therefore not considered worthy of a TPO.

COMMENT ON REPRESENTATIONS RECEIVED

County Highways has been consulted on the application and has made no objection to the proposal on highway grounds. The Case Officer made an assessment of the vegetation and trees on the site when conducting a site visit and the Council's Arboriculturist was also consulted and based on both assessments none of the trees on the site are considered worthy of a TPO. Any overlooking which may occur to number 68 Chichester Road is not considered likely to cause demonstrable harm. It is however considered prudent to condition that no additional windows should be inserted in the rear elevation of the property on plot two at first storey level and the existing windows servicing the bathroom and bedroom should be glazed with obscured glass. The proposal is not considered likely to cause demonstrable harm to the character of Somerset Gardens. The possible affect on property prices and disturbance cause by the proposal are not material planning considerations.

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 upon 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.

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CONCLUSIONS*area*

The site is situated within a predominantly residential ^{area} within a cul-de-sac of similar style two storey terraced properties. The residential development along Chichester Road on the south side consists largely of two storey semi detached similar style properties and on the north side the properties are predominantly a mix of detached bungalows and two storey dwellings of varying designs. The proposal seeks planning permission for a pair of four bedroom, two storey detached dwellings with integral garages and vehicular access.

The proposed dwellings are considered to be of an acceptable design and scale within context of the surrounding development and within relation to the resultant plot sizes. The surrounding development within Somerset Gardens is similar style semi detached two storey properties, however along Chichester Road the development is more varied in scale and design.

The siting of the dwelling within plot 1 is in line with the neighbouring pair of semi detached properties to the north and the dwelling within plot 2 is sited ~~some~~ well back from the edge of Chichester Road as with the existing bungalow, each therefore maintains the existing building line and separation with the streets edge. As such the proposal is not considered likely to have an adverse impact upon or appear out of character with the surrounding development.

Adequate distances are considered to be maintained between the proposed dwellings and the neighbouring properties to preclude any adverse overlooking, overshadowing or causing an overbearing affect. It is however considered prudent to condition that the windows servicing the bathroom and bedroom of the dwelling in plot two at first storey level should be glazed with obscured glass and that no additional windows should be inserted at first storey level within the rear elevation within out prior approval.

It is also considered prudent to condition that no additional windows should be inserted in the north elevation at first storey level of the dwelling within plot one as two dormer windows currently exist in the southern elevation of number 20 Somerset Gardens.

These factors considered the development would not cause demonstrable harm to the residential amenities of the neighbouring properties by way of overshadowing, overbearing effect, loss of privacy or overlooking. Furthermore, it will not be obtrusive in the street scene, nor would it conflict with the established character of the residential area.

It is therefore recommended that this application is approved, subject to the conditions set out overleaf.

RECOMMENDATION
TOWN AND COUNTRY PLANNING ACT 1990

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RECOMMENDATION

Application Ref: BR/225/07/

1**To Addressee****2****Site Address**

21 Somerset Gardens
Bersted

3**Description of Development**

Demolition of existing dwelling and erection of two detached houses with new entrance drives

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In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.



RECOMMENDATION

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- CONDITION 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).

- CONDITION 2** No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed dwellings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwellings.

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.

- CONDITION 3** The windows on the front and rear elevations of both properties servicing the bathrooms and the window on the rear elevation at first storey level of the dwelling within plot 2 servicing the bedroom shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- CONDITION 4** No windows (other than those shown on the plans hereby approved) shall be constructed in the north side elevation at first storey level of the dwelling in plot 1 or the rear elevation at first storey level of the dwelling of plot 2 hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- CONDITION 5** The dwelling hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

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

- CONDITION 6** The building hereby permitted shall not be occupied until both accesses to the site other than hereby approved have been stopped up permanently and obliterated.

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.

- CONDITION 7** The access to the proposed dwellings 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 1.5 metres by 1.5 metres on each side of the proposed access.

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.

RECOMMENDATION

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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.

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.

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: LOC1, DEV1, CH1, NE17

LOCAL PLAN: GEN7, 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.

Case Officer: Miss K Brocklebank

