

Recommendation Report for Planning Permission**REF NO:** FP/179/11/**LOCATION:** 30 Limmer Lane
Bognor Regis**PROPOSAL:** Demolition of existing dwelling & outbuildings & erection of 6 no. apartments with associated parking & landscaping (re-submission following FP/182/10/)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal is to demolish the existing detached dwelling and replace it with 6 x 2 bed flats measuring 21m x 17m x 11m height (to ridge). Underground parking is proposed comprising 8 spaces with 3 visitor parking spaces to the site frontage. Flint walling and planting is also proposed to the site frontage.
SITE AREA	0.13 hectares
RESIDENTIAL DEVELOPMENT DENSITY	46 dwellings per hectare
TOPOGRAPHY	Predominantly flat. Land levels rise. Slightly above Limmer Lane.
TREES	Large pine on site frontage.
BOUNDARY TREATMENT	Fencing and hedging to sides. Large tree at rear.
SITE CHARACTERISTICS	Large detached house. Rendered elevation. White detached double garage to front and side in line with neighbour. Large semi-circular drive with 2 accesses around the tree.
CHARACTER OF LOCALITY	Predominantly residential. Mainly 2 storey. Village centre location. Most properties are large, detached and of individual design. St Mary's Court to east rendered with mock Tudor and black tile. To west detached flint and gable wing tiled.

RELEVANT SITE HISTORY

FP/182/10/	Demolition of 1no. detached dwelling and associated outbuildings and erection of 8 no. apartments and 4 no. garages with improved highway access and associated hard and soft landscaping.	Refused 20-12-2010
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BR/666/69	Outline 2 storey dwelling and garage	Refused 08-12-1969
BR/640/73	O/L 4 flats in 2 blocks of 2 4 double garages	Refused 11-09-1973

REPRESENTATIONS

Representations received:

Felpham Parish Council

Objection because of impact of access and egress to the site for the 6 households especially as 11 parking spaces are proposed.

2 Letters of Objection

Overdevelopment. Not in keeping with the locality. Increase in traffic will create more accidents as it is very busy and sight lines are limited on exit. 6 flats are too many. Not in keeping with No. 32 which is 4 flats. Underground parking is foolish as there is already a huge problem with excess flooding in the lane. Rear building line will encroach on light of flats at No. 32. Unsightly. Underground parking won't be done and building will be made higher, which is not in keeping. Significant safety risks. On sharp bend. Building would be twice size of current building and extend a substantial way down adjoining garden. House and garden would be overseen, not just by one dwelling but by 2 flats and terraces/balconies. Loss of privacy. Loss of light to neighbouring dwelling. Would change the character of the area. Out of proportion. There is inadequate space for 11 vehicles. Development does not visually integrate to side and rear.

Comments on Representations received:

The proposal would have the appearance of a large detached dwelling. It would not appear out of keeping in the street scene being in scale with adjoining development and the size of the curtilage. The building does project further to the rear than the existing and adjoining neighbours, but the rearward extension is centrally sited. Windows at first floor level are obscure glazed and high level. There would therefore be no materially adverse overbearing or loss of privacy resulting.

CONSULTATIONS

Conservation Officer
Conservation Area Advisory Com
WSCC Local Development Divis.
Environment Agency
Conservation Officer
Council's Arboriculturalist
Parks and Landscapes
WSCC Local Development Divis.
WSCC Local Development Divis.

Consultations responses received:

County Highways

Recommend refusal. From the plans submitted it appears that appropriate visibility cannot be achieved without affecting third party land to the east of the proposed access position.

Notwithstanding the fact that this proposal does involve closure of the existing access, where visibility to the east is even less than that proposed, and the formation of a new access the

development of 6 apartments will result in an increase in vehicular movements over what currently exists. As a result the new access is unacceptable and does not meet appropriate standards.

Conservation Area Advisory Committee

Would prefer to see central fenestration being symmetrical.

District Landscape Officer

Details of planting are required. A tree protection scheme must be in place before construction begins. Trees T3-T8 to rear should be detailed, listing species, particularly any subject to a TPO.

Environment Agency

Concerns. FRA appears to contain inaccuracies regarding floor levels of the existing dwelling. It will need to demonstrate that the building will be safe throughout the lifetime of the proposal and that no internal flooding will occur.

Comments on Consultation responses:

Elevations have been amended to incorporate symmetrical fenestration. Comments made by Landscape Officer are included in the landscaping conditions. An acceptable revised FRA has been submitted. There was a typographical error in the earlier stated existing floor levels.

POLICY CONTEXT

Designation applicable to site:

Within Conservation Area

Tree Preservation Order TPO/1/BR/58

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPBE6	Management of the Historic Environment
Arun District Local Plan:	GEN7	The Form of New Development
	AREA2	Conservation Areas
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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. In addition an assessment of highway safety is required.

The above policies combine to describe the criteria against which the application will be assessed particularly with regard 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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on highway safety.

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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 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 proposal represents redevelopment of a site within the built up area boundary for residential purposes which is acceptable in principle subject to normal development control criteria being met.

Planning History of Site

The planning history of the site indicates that applications for flats on this site for a lower number of units (4 & 6) were refused in the 1970s and FP/182/10 for 8 flats was refused on 20 December 2010. This proposal addresses the previous reasons for refusal by reducing the bulk of the development by making it 2 storeys high and deleting 2 of the flats proposed. Car parking has also been moved underground to allow a greater amount of landscaping on the site frontage and the development has been moved further from the boundary with St Marys Court.

Residential Amenity

The proposed block of flats would be positioned in approximately the same position as the existing dwelling in respect of the distance retained to the west side boundary. The existing hedging would be retained by reducing in width in the area of the development. The flats would project further to the rear of the site. The building would project 4m to the rear at a distance of 1.5m from the side boundary and 8m to the rear at a distance of 6m from the boundary to the west. A gap of 2.5m is maintained to the eastern site boundary. These distances are considered acceptable and would not result in materially adverse overbearing effects.

The windows on both side boundaries are indicated as obscure glazed to preclude overlooking, but these windows would be high level in any case. There would therefore be no material loss of privacy.

Balconies are proposed on the rear elevation. To preclude direct overlooking to neighbouring properties from these properties it is proposed to impose a condition relating to obscure glazing of the side positions of the balconies.

Visual Amenity and Character and Impact on Conservation Area

The proposed flats would be 2 storeys in height and designed to look like a large detached dwelling with a centrally positioned door on the front elevation. The height of the property would be comparable with those adjoining in the street scene and a gap would be retained to both side boundaries. Visually the development would appear in keeping with the character of the locality which is defined mainly by large detached dwellings of varying design with space around them.

Whilst the building would project further to the rear it would be set in some distance from side boundaries. The design would not detract from the appearance of the area or significantly differ from other properties in the locality.

Most of the boundary screening/planting is to be retained and additional planting is proposed to the site frontage. This would help to soften the appearance of the development and retain features that contribute positively to the appearance of the Conservation Area. A landscaping conditions is proposed to ensure acceptable planting is provided. Whilst the existing conifer tree on the frontage is to be normal the additional planting would satisfactorily compensate for its removal.

The proposal would therefore preserve and enhance the appearance of the Conservation Area.

Highway Considerations

The highway advice confirms that the proposal to close one existing crossover and modify the other does not provide the required visibility and therefore does not constitute a safe access arrangement.

Affordable Housing

The proposal generates a requirement for affordable housing contributions. A legal agreement in respect of commuted sum payment of £48,924 has been submitted as part of the proposal.

Conclusion

The application is recommended for approval subject to the following conditions.

RECOMMENDATION

REFUSE

- 1 The access is unsatisfactory to serve the proposed development of 6 apartments by reason of inadequate visibility in conflict with policy GEN7 of the Arun District Local Plan.