

PLANNING APPLICATION REPORT

REF NO: R/51/11/

LOCATION: 2 & 4 Broadmark Lane &
18 Vernon Close
Rustington

PROPOSAL: Application for outline planning permission with some matters reserved for demolition of existing dwellings & construction of 11 no. apartments with parking and access. Resubmission following R/213/10.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is an outline application for 1 x 1 bed and 10 x 2 bed apartments. The proposal includes all matters with the exception of landscaping. The development would be 3 and 2 storeys high with a frontage to Broadmark Lane to replace 3 bungalows. Parking and a car port would be provided to the rear to accommodate 11 vehicles.
SITE AREA	0.2 hectares
RESIDENTIAL DEVELOPMENT DENSITY	55 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development. One Silver Birch on site frontage.
BOUNDARY TREATMENT	Side 1.8m high closed boarded fencing to Broadmark Lane. Wall to 1m bushes behind to 2m to No. 2. To No. 4 500mm high fencing bushes above to 1m. Vernon Close 1.2m rising to 1.8m fencing to 1m.
SITE CHARACTERISTICS	3 bungalows, single storey, frontage onto Broadmark Lane. Rendered elevations. Plain and pantile roofs. Garages to side. Adjacent property in Vernon Close is 2.5 storey and split into apartments. Single and 2 storey properties in Vernon Close and Broadmark Lane. Shop units in The Street are 3 storeys high with rear balconies to flats at 1st and 2nd floor. Brick elevations. Shallow pitch roof. Bin storage and parking to rear of No. 2 Broadmark Lane.
CHARACTER OF LOCALITY	Town Centre location on edge of retail uses. Co-operative supermarket opposite in Broadmark Lane. Dentists at No. 7. Main retail units to north. Residential to south.

RELEVANT SITE HISTORY

R/35/02/	Single storey side conservatory extension following demolition of existing	Approve Cond 30-04-2002
R/213/10/	Outline application with some matters reserved for the demolition of no's 2 & 4 Broadmark Lane and 18 Vernon Close, and the construction of 14 apartments with parking and access	Refused 18-11-2010

REPRESENTATIONS

Representations received:

Rustington Parish Council: Objection

The proposal falls just outside the Principal Shopping Area where the buildings are of considerable ridge height providing accommodation over change to single storey residential buildings. There is not a precedent or reason for the massing of the proposal. The relationship to Vernon Close is poor. Overdevelopment. The height of the building is masked by the shallow pitch roof design.

Proposal seeks to replace 3no. single storey buildings with 11no. flats in 3 storeys in the main. Out of scale and keeping in the street scene. Overloading of infrastructure. Unacceptable increase in traffic and activity which would be detrimental to the residential amenities and quiet enjoyment of neighbouring properties. Would set a precedent.

The proposal would be likely to attract standing vehicles interrupting free flow of traffic on the public highway in Broadmark Lane and Vernon Close.

East elevation of the proposal (front) is forward of the visually important building line created by 137 The Street and 1 Vernon Close.

Architectural style of the building is attractive but wholly inappropriate in this location, in both scale and design.

Contrary to policy GEN7 in that it does not respond positively to the characteristics and resources of the area, it has an effect on adjoining occupiers, land, uses or property and does not allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. The intensification of occupation from 3 small separate dwellings to 1 flat would give rise to an increase in pedestrians and vehicles.

This is not a high standard of design and layout being over-dominant in appearance.

Rustington Heritage Association

This development will seriously affect those living in the flats of the South Parade of shops and is not in keeping with the surrounding area mainly bungalows and small houses.

This is designated Character Area 5 in the Rustington Design Statement and does not conform with the recommendations in that Statement.

There is already traffic congestion at the junction with the entrance to the Co-Operative car park and this will affect it even more.

Rustington Residents Association

The size, shape and height of the proposal is little changed from that of the original application R/213/10. Such changes that have been made to the plans are little more than cosmetic with the removal of the gun turret at the southern corner of the frontage in Broadmark Lane and the reduction from 14 to 11 apartments. The proposed development is wholly unsuited to the locality, an established residential area, being obtrusive and detrimental to the character and amenities of the surrounding area.

Main access to the development would be via Vernon Close. This is a narrow (5m wide between curbs) cul-de-sac, with no turning circle. There are bungalows to the south that would be overlooked by a three storey block. Vehicles are parked along the northern side of Vernon Close. Access to and from the parking areas proposed in the plan would be difficult, particularly for delivery vehicles. Vehicles exiting Vernon Close will have to filter into northbound traffic in Broadmark Lane. The proximity of traffic lights at the junction of Broadmark Lane and The Street would add to the queue of vehicles approaching the traffic lights, together with those exiting the car park behind the Co-Operative supermarket almost opposite Vernon Close.

Since the main entrance to the proposed development would be in Broadmark Lane, there would be a tendency for vehicles to stop to make deliveries (post, etc) at that point, creating a traffic hazard. It is notable that in the submission documents there are photographs of the site area from north and west but none from the south that would show the approach to the village from Broadmark Lane and the proximity of the traffic lights.

Allowing this Application would set a precedent for this developer, then making an application to demolish the Clockhouse in Vernon Close, most of which he currently owns, and then constructing yet more apartments, to create a major, high density, development in what is almost the centre of village activity and wholly detrimental to the character of this part of Rustington.

One Letter of Support

Much better entrance/vista upon entering Broadmark Lane whilst allowing housing for all ages. Welcome addition of living wall to the northern end of the block. This would be a positive contribution. Roof line and size have been revised downwards.

17 Letters of Objection

Detracts from general appearance of village. Access would present traffic problems where Broadmark Lane narrows to Bumble Cottage, service road to Co-op is subject to congestion at entrance. Vernon Close residents already have to suffer casual parking problems. Don't need more flats. Would become like Woodlands Avenue or Littlehampton. Out of proportion. Parking would be inadequate. Inappropriate scale. Object to roof height, density, overdevelopment and infilling of space. Orange notice not displayed properly. This could be the thin end of the wedge. Traffic congestion is already a problem. Obstruction in this area would cause disruption and tailbacks and would affect traffic flows. Parking/turning of larger commercial vehicles is not provided. Access to car parks 5 and 11 is difficult. Request application is referred to Committee for decision and consideration with WSCC in respect of outstanding footpath provision alongside Bumble Cottage is undertaken and application amendments sought to include amendments to alignment of road to allow footpath provision. Insufficient infrastructure. Out of character. Only houses are located at this end of the village. Concern regarding privacy. No notification received.

Comments on Representations received:

Comments on Parish Council Comments

Mainly agreed. This would not set a precedent. Each application is determined on its own merits.

Comments on other letters of Objection.

Mainly agreed. The provision of a footpath to Bumble Cottage is a separate matter and does not fall within consideration of this application. Members of the public cannot request an application is determined at Committee or who is consulted. It is considered there would be no material loss of privacy or adverse impact on residential amenity.

There are 2 orange notices displayed at the site in accordance with procedure. This Local Planning Authority does not undertake neighbour notification.

It is not agreed that the proposal would improve the vista on entering Broadmark Lane. It would be visually obtrusive.

CONSULTATIONS

Southern Water Planning
Env. Amenities & Comm. Safety
Parks and Landscapes
WSCC Local Development Divis.

Consultations responses received:

County Highways:

There are no present highway reasons for refusal. In principle the development is acceptable in highway terms subject to the receipt of a satisfactory road safety audit and designers response and justification of the parking provision.

Southern Water:

An informative is requested

Comments on Consultation responses:

The lack of information with regard to highway matters has been discussed with County Highways and as a result this has not been included as a reason for refusal.

POLICY CONTEXT

Designation applicable to site:
(Within Built Up Area Boundary
Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN1	Sustainability
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	GEN30	Protection of Species

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

SUPPLEMENTARY POLICY GUIDANCE

XXX6	Interim Affordable Housing Policy
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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.

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 the visual amenities of the locality and 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.

CONCLUSIONS

PRINCIPLE:

The site lies within the built up area boundary where development is acceptable in principle subject to usual development control criteria being met.

VISUAL AMENITY AND CHARACTER OF THE AREA:

The site currently comprises 3 detached bungalows fronting Broadmark Lane close to its junction with The Street which comprises the main retail area of Rustington. Broadmark Lane and Vernon Close are primarily comprised of detached residential dwellings that are either single or 2 storeys in height. Whilst the retail units are 3 storeys they mirror the units on the opposite side of the street and define the main shopping area.

The proposed two and a half and three storey development of 11 units would therefore be cramped and out of keeping in the street scene. It would be located approximately 2.5m closer to Broadmark Lane frontage than the existing dwellings which would emphasise the presence of the buildings further in the street scene. A gap of 4m would be retained to the site frontage at the corner with Vernon Close. It is considered that a predominantly 3 storey block of flats would take no reference from its residential domestic scale setting. The building would be prominent and obtrusive in this location. The design would be at odds with the residential dwellings adjoining the site. The Design and Access statement paragraph 6.2 refers to the proposal as having a 'strong street frontage along Broadmark Lane and Vernon Close. The corner tower marks its presence in town-scape terms, by functioning as the gateway to the village centre'. There is no need for such a design reference in this location. The strong frontage of the existing retail units is adequate. Broadmark Lane only facilitates local traffic it does not constitute a significant route into the village centre or a vehicular route through Rustington.

The proposed site layout provides little opportunity for landscaping and communal garden areas. Most of the site comprises building or hard surfacing with private gardens behind 900mm walling provided on the site frontages. This would afford little private amenity space for residents for drying clothes and sitting outside away from public view. This excessive expanse of hard

surfacing and built form proposed would further emphasise the cramped nature of the development.

The existing property at 1 Vernon Close is a modest single storey dwelling and the proposed 3 storey building would appear to tower over this property in the street scene.

RESIDENTIAL AMENITY:

In terms of residential amenity it is considered that given the position of the development and the layout and orientation of windows there would be no materially adverse overbearing or overlooking effects resulting. The windows closest to the rear boundary facing onto No. 17 Vernon Close serve either landings or stairwells or look onto the driveway area into the site.

AFFORDABLE HOUSING:

The proposal would also generate a requirement for a commuted sum contribution towards affordable housing and no agreement has been submitted as part of the proposal.

COMPARISON WITH PREVIOUS REFUSAL:

The proposal has been amended following refusal of R/713/10 for 14 flats. 3 units have been deleted and the development has been moved to the west, increasing the distance to the Broadmark Lane frontage. The height and bulk of the proposal has been reduced in relation to Vernon Close. However it is not considered these alterations have fully addressed the concerns with regard to impact on the street scene in Broadmark Lane.

It is recommended that the application is refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The site by virtue of its size and shape is considered unsuitable to accommodate 11 flats and associated parking and amenity space, particularly given the height of the proposal and its proximity to the road frontage and in the position proposed without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped and obtrusive form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policy GEN7 of the Arun District Local Plan and PPS3, Housing.
- 2 The proposed development makes no contribution towards affordable housing provision and is thereby contrary to the aims and objectives of PPS3 and the Council's interim affordable housing policy adopted on 18 August 2010.