Y/21/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Proposed 4 new flats 3 Cherry Avenue, Yapton

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is for a two storey detached block of 4no. flats. 4no. parking spaces are proposed to the site frontage.
SITE AREA	585 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	68no. dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	Bushes within site. None of any individual merit.
BOUNDARY TREATMENT	To No. 1 Cherry Avenue bushes/vegetation to 2-3m.
SITE CHARACTERISTICS	No. 1 detached two storey dwelling. Plain tile roof. Painted rendered elevations. Garage to No. 5 on side boundary. No. 1 one window in roof facing onto site. None at ground floor. No. 5 has one window at first floor to side elevation.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly detached dwellings of varying design and style.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Y/51/83	2no. semi-detached three-bed houses with integral garages.	Withdrawn 28/7/83
Y/41/03	Erection of 2no. houses.	Refused 21/8/03 Appeal Dismissed 1/3/04
Y/53/04	2no. new chalet bungalows	Withdrawn 4/10/04
Y/69/04	1no. new chalet bungalow	Refused 16/2/05
Y/42/05	Erection of detached dwelling	Approved Conditionally 26/10/05

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Yapton Parish Council	Objection. Overdevelopment. Building would appear larger in size than adjacent dwelling and will do little to complement the existing adjacent building. Unneighbourly. Will damage character of adjacent dwelling. Area for vehicle parking too small. Would look out of place

Y/21/07

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	and crowded compared with adjacent dwellings. Area for parking provides no spare capacity for visitors. Would lead to on street parking where siting is not good and would lead to accidents.
Local Groups	None
22 letters of objection	Inadequate parking will lead to congestion. Out of keeping with area. Will overlook and overshadow neighbouring properties. Roof height would exceed Nos. 1 & 5. Not in keeping with character of family houses. Overdevelopment. 4no. flats is excessive and out of keeping. Plan size is twice the size of surrounding properties and should be refused as per earlier applications of similar size. The replacement dwelling already approved would be in keeping. Road is prone to flooding.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No objection - conditions suggested.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Local Gap Within Built-up Area Boundary Permitted Development Restriction - Open Plan

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, LOC1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPG3 - Housing

POLICY COMMENTARY

The above policies combine to describe the relevant development control criteria against which the application will be assessed particularly with regard to visual and residential amenity.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

Proposal would not result in a material loss of privacy to adjoining properties since the windows at first floor level in the side elevation would serve bathrooms and therefore be obscure glazed. However given the proximity of the two storey element to the boundary and its height it would be overbearing on the adjoining properties. Size of the proposed building would be bulky and out of keeping in the street scene. County Highways Officer has no objection on highway grounds.

Y/21/07

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 conflict with relevant Development Plan policies in that there would be a materially adverse effect on visual and residential amenity.

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 proposed building would be adjacent to a bungalow at No. 1 and a two storey dwelling at No. 5. In principle a two storey dwelling dependant on overall height, may therefore be an appropriate gradation in height visually in the street scene. However, the width of the proposal and its full two storey height combine to provide a bulky building which would appear as an obtrusive and dominant feature in the street scene, out of character with the domestic scale of development in the locality.

In addition, the development would be unneighbourly on the adjoining properties. It would significantly reduce light to rear garden and be overbearing on No. 5. The Inspector on the previously dismissed appeal for 2no. chalet bungalows on the site stated direct sunlight would be reduced to the rear garden area, which is commonly the most frequently used, and this reduction would significantly detract from the occupiers enjoyment of their property. The approval for one dwelling on the site (Y/42/05) had a single storey garage 2m from the boundary with a low eaves line of 2.3m. thereby decreasing the height of the building and its impact on this neighbour This proposal is two storey 2m from the boundary and is therefore unacceptable.

From the planning history it is evident that the site has been the subject of several applications for planning permission. The only approval to date has been for a replacement two storey dwelling. This development represented the maximum footprint and height that was considered acceptable on the site. To increase the amount of development still further to provide additional units of accommodation would result in a development that is not compatible with existing character of the area and would represent an overdevelopment of the site in terms of both site coverage and number of units. The amount of noise and activity generated from 4no. flats is likely to be excessive when compared with the one dwelling approved.

The application is therefore recommended for refusal for the reasons given overleaf.

YAPT[redacted]

Y/21/07/

Proposed 4 new flats

3 Cherry Avenue
Yapton

RECOMMENDATION

Refuse

1 Having regard to the limited area of the site and its relationship to existing residential properties the proposal would be an overdevelopment of the site which would be prominent and obtrusive in the street scene and would give rise to an unneighbourly form of development which would be prejudicial to the amenities and environment of the locality in conflict with policies DEV1, LOC1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.