

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: Y/38/20/HH

LOCATION: 22 Cherry Avenue
Yapton
BN18 0LB

PROPOSAL: Replace existing dilapidated lean-to roof (north side) with improved enclosed structure. Enclose existing open front porch. Add lean-to to rear of property. Increase off-road parking with associated drop curb.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks various amendment such as an enclosure of the front porch, replacement of existing lean to extension to the side of the property and construction of a lean to extension to the rear of the property. It is also proposed to widen the dropped kerb.

REPRESENTATIONS

No Objection.

4 letters of support from nearby occupiers.
- In keeping with the area.
- It will relieve on street parking.
- It will improve the look of the property.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC -

Requires further information relating to the access and the size of the dropped kerb proposed. This should not be more than 6.4m and 11m is proposed.

Following an additional plan, revised comments were received.

31.7.20

- The amendments have been received however the plans now state both 6.4 & 7.3 metres. The LHA requests that the applicant provides such details. However, given the time sensitiveness of this application the LHA are mindful to accept a condition for the details. The LHA does not consider that this proposal would have an unacceptable impact on highway safety.

Comments noted. A condition has been included which specifies the width of the VCO that is acceptable.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Yapton has a Neighbourhood Plan with policy BB1 of relevance. The proposal complies with this located within the BUAB.

DESIGN AND VISUAL AMENITY

The proposal is to the front and rear of the property and some elements will be visible from the street scene.

The proposal seeks to enclose an existing porch however whilst the surrounding properties are similar in appearance there are examples of similar development at other nearby properties and as such is not considered to appear out of character.

The development appears subservient to the host dwelling. To the side of the property there is an existing lean to. This is in poor condition and will be replaced with a side extension. This is set back from the principle elevation and is not considered to appear unduly dominant.

The boundary to the north extends at an angle and the extension will follow this with a width of 2.85m to the front elevation reducing to 1.15m at the rear.

The side and porch will be constructed of brick which will match the host dwelling, ensuring it appears well integrated.

Due to the siting and design of the development proposed, it is not considered to adversely impact the appearance of the street scene and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The side extension will run along the boundary to the north and will have a small pitch to the front with a maximum height of 3m, which will reduce to around 2.5m. This is predominately the same size as the existing dilapidated lean to which will be replaced.

There is a window to the side elevation of the neighbouring property however there is also an existing

brick wall to the boundary at the north and due to the modest size and replacement nature, the side addition is not considered to result in overbearing or overshadowing. There are also no windows proposed to the side addition and therefore not considered to give rise to overlooking.

A rear extension is also proposed. This will have a modest depth of 3m and a height of 3m with 2.3m to the eaves. This retains around 1.6m to both side boundaries. Due to the siting and modest size, the rear addition is not considered to result in overbearing or overshadowing upon neighbouring properties, with no properties to the rear. At single storey additional doors to the rear will overlook the garden of the host dwelling.

Due to the modest design and size of the development proposed, it is not considered to result in harm upon amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

PARKING

The proposal also seeks to increase the width of vehicular crossover to the front of the property to allow for another car to be parked to the front of the property. This was originally proposed at a width of 11m. WSCC provided comments that advised it should be no more than 6.4m. Additional plans were submitted and a condition is to be included to ensure the VCO is 6.4m in width as requested by WSCC.

The alteration is not considered to result in harm upon parking in the area or the highway.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 The development hereby approved shall be carried out in accordance with the following approved plans
- Location Plan
 - Block Plan showing crossover (31/7/20)
 - Block Plan
 - Proposed South Elevation
 - Proposed North Elevation
 - Proposed Rear Elevation
 - Proposed Front Elevation
 - Proposed Floor Plan
 - Email dated 29/7/20 confirming VCO width.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The use of the car parking space(s) shall not commence until the vehicular access has been constructed in accordance with the Block Plan showing option A-B which demonstrates a 6.4m vehicle crossover.

Reasons: In the interest of road safety and in accordance with D DM1 of the Arun Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 5 **INFORMATIVE:**
The Local Highways Authority (LHA) advises the applicant that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee the permission of a Vehicle Crossover (VCO) licence.

Please see the following link on details pertaining to the licence application process:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

licence/vehicle-crossover-dropped-kerb-construction-application-form/