

Recommendation Report for Planning Permission

REF NO: Y/47/18/PL

LOCATION: Land adjacent 1- Holkham Cottages
Burndell Road
Yapton
BN18 0HP

PROPOSAL: Erection of 2 no. dwellings

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Full planning application for the erection of 2 no. dwellings on land adjacent to no. 1 Holkham Cottages, Burndell Road, Yapton.

The application proposes the erection of 2 no. semi-detached cottages on land to the east of the existing row of 6 cottages known as Holkham Cottages. The front elevations of the dwellings are proposed to be in line with the existing cottages with a new 0.75m flint and brick wall in front in keeping with the existing street scene. The cottages have been designed to be of a similar scale to the existing cottages.

The cottages will each have a private rear amenity area accessible via a footpath down the side of the individual properties which will also allow access for bins and cycle storage.

SITE AREA 184 sqm

TREES None affected by the proposed development.

BOUNDARY TREATMENT The land the subject of this application is currently enclosed by timber close boarded fencing adjacent to the pavement and has gates toward the western end.

SITE CHARACTERISTICS The site is situated between no.1 Holkham Cottages and a single storey brick and tile building that forms part of the adjoining site occupied by Leaside Tool Shop. No.1 Holkham Cottages is the easternmost property in a row of six terraced cottages which sit close to the back edge of the pavement. The Leaside Tools building also sits hard onto the public highway.

CHARACTER OF LOCALITY There is unrestricted parking along this stretch of Burndell Road apart from double yellow lines around the junction of Downview Road which extend along the northern side of the road opposite the application site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council - No Objection - although some concerns over parking.

Three letters of objection on the grounds of;

- Flood risk. There is no room for a soakaway
- Parking. Development will have a negative impact on the residents in Downview Road.
- construction workers causing traffic flow problems on Burndell Road or inconveniencing residents on the Downview estate.
- There is not enough room for two cottages

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

ADC Engineers - apply standard condition on surface water drainage.

WSCC Highways - Under the WSCC Car Parking Standards, three car parking spaces may be provided for the proposal. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety (nearby junction with Downview Road). We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.

The LHA consider that there are opportunities for sustainable transport and that not all daily trips would be reliant on the private car.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted - the applicant has refused to accept the pre-commencement conditions relating to drainage and therefore in this case no conditions will be imposed on this matter. Drainage of the development can be resolved at the submission of the Building Regulations application.

POLICY CONTEXT

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk
TSP1	T SP1 Transport and Development

[Yapton neighbourhood plan 2014 Policy BB1](#)

Yapton neighbourhood plan 2014 Policy E11	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy H1	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy PK1	Housing requirement
	Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The relevant policies in the Yapton Neighbourhood Plan have been taken into account.

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 complies with the Development Plan in that it proposes residential development within the built up area boundary as it applies to the Arun Local Plan and would not have significant adverse impact on either visual or residential amenity or the character of the 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

Arun Local Plan 2011-2031.

In this case the key other Arun Local Plan policy considerations are deemed to be D SP1 (Design), DDM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards) and T SP1 (Transport and Development) of the Arun Local Plan 2011-2031. These policies seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

The application site lies within the built up area boundary. Therefore, subject to being satisfactory in respect of character, amenity, highways and other technical matters, the proposals are acceptable.

CHARACTER & VISUAL AMENITY

The proposals involves the erection of two dwellings that would extend the existing form of built development with the same characteristics. Built form on the southern side of Burndell Road, including newer development, is characterised by development sited close to the edge of the highway with no front gardens and on-street car parking. The application proposals replicate these characteristics.

Similarly, the scale of the proposals accord with the surrounding area in terms of height and width.

The proposal is considered to be in keeping with the character of the surrounding area and consists of dwellings fronting Burndell as characterised by developments surrounding the site.

Further, the NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)).

RESIDENTIAL AMENITY

Existing properties to the south of those proposed are a significant distance away with very long rear gardens. These separation distances are more than sufficient to ensure that the residential amenity of these properties is maintained.

Those properties that immediately adjoin the application site to the west and east would not be directly overlooked by the proposed dwellings. Further, the proposed dwellings are sited such that there would be no over bearing impact or loss of light to the rear of these properties.

The proposed dwellings would have very small courtyard rear amenity areas. They would only be 5.5m in length. Whilst these would be significantly below what would normally be expected for rear amenity areas, they are such that they reflect the character of existing dwellings on this side of Burndell Road. There is also a large area of public open space in close proximity to the application site.

HIGHWAYS & PARKING

Policy T SP1 requires development to have appropriate levels of car parking. Policy PK1 of the Yapton Neighbourhood pre-dates the Local Plan and requires two off street car parking spaces per dwelling

proposed in this application. The proposals do not provide any off street car parking spaces and would therefore be contrary to the Neighbourhood Plan. However, as a more recently adopted part of the development plan, the Local Plan requires consideration of appropriate levels of car parking bearing mind locational factors.

The application site is located at the heart of a relatively large village settlement with public transport. On street car parking is characteristic of the area. Neither the Parish Council or the highway authority have raised an objection to the application proposals.

It is considered that on-street car parking is appropriate for this location and for the form of development proposed.

DESIGN

Policy D SP1 of the Arun Local Plan states that development proposals should reflect the characteristics of the area in terms of layout, scale and appearance. As mentioned above, the proposals respect the character of the locality in terms of scale, layout and appearance and they are therefore in accordance with policy D SP1.

SUMMARY

The principle of the proposals would accord with the development plan.

The proposed development is not considered to result in any unacceptable adverse impacts on the area by way of appearance, design, neighbouring residential amenity and local highway terms and is therefore in accordance with relevant development plan policies DSP1, DDM1, DDM2 & TSP1 of the Arun Local Plan.

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:

18015 2.01 A - Proposed Site Plan, Location & Block Plans

18015 2.02 - Proposed Plans & Elevations

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

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

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 policy D DM2 of the Arun Local Plan.

- 4 Notwithstanding the provisions of Part 1 (Class A) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until the cycle stores have been provided in accordance with the details shown on the approved drawings. The cycle storage sheds shall thereafter be permanently retained as fit for purpose.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan 2011-2031.

- 6 **INFORMATIVE**

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the kerb reinstatement works on the public highway.

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

- 7 **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.