

Ref: Y/65/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Proposed erection of two semi-detached houses. 60 Tack Lee Road, Yapton.
-------------------------	---

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.048 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	The application site is located at a higher level than Tack Lee Road.
TREES	None of any significance to be affected by the proposed development.
BOUNDARY TREATMENT	Open frontage. Mixture of wire fencing and shrubbery/hedging borders the site.
SITE CHARACTERISTICS	Concrete area, currently used for car parking.
CHARACTER OF LOCALITY	Residential cul-de-sac. The surrounding properties are a mixture of semi-detached bungalows and houses. Open fields border the rear of the site. No. 60 and 58 are semi-detached bungalows. No. 60 has no first floor windows or windows in the roof slope that face towards the site. No. 62 and 64 are two storey semi-detached properties located to the south east. No. 62 has 3 No. first floor windows to the side elevation that faces towards the application site. One of these windows appears habitable, whilst the remaining two are obscure glazed.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Y/34/05/	Application under Regulation 4 of the Town & Country Regulations 1992 for outline permission for semi-detached dwellings.	Approved Conditionally 05-08-2005.

Ref: Y/65/07/

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Yapton Parish Council	Awaited.
Local Groups	None
One Letter of Objection	Concerns over loss of parking area; Concern over lack of parking; Would lead to loss of privacy.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	No highway objection, subject to suggested conditions. The site has an existing access off of the turning head at the far end of Tack Lee Road. No concerns would be raised in respects of the continued use of this. Three formal car parking spaces are indicated, although it is noted that additional car parking could and more likely would take place in the turning area within the site. This shouldn't pose any great issues as adequate space still exists to manoeuvre out of the formal bays.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, DEV1, DEV5, CH1, NE2, NE17.
Arun District Local Plan: GEN2, GEN7, GEN12.

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

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.

COMMENT ON CONSULTATION RESPONSES

Noted. The suggested conditions will be added to any approval on the site.

Ref: Y/65/07/

COMMENT ON REPRESENTATIONS RECEIVED

County Highways have raised no objection to the application, provided a condition is imposed that states 'parking area shall be provided prior to occupation'.

It is considered that the proposal would not cause demonstrable harm to the residential amenities of any neighbouring property by way of loss of privacy. This is provided that appropriate conditions are imposed on any approval which relate to the obscure glazing of windows.

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 comply with relevant Development Plan policies in that the proposed dwelling would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overlooking effect or loss of privacy and nor would it detract from the character of the surrounding residential 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

There is a previous outline approval on the site for two semi-detached dwellings (ref: Y/34/05/). The principle of two dwellings on the site has therefore been accepted. At the time of this previous approval, a condition was imposed which stated that 'the proposed dwellings shall be constructed with the main eaves line approximately level with the ground floor window-heads'. It was considered that this would prevent any adverse overlooking effect upon the neighbouring properties, most notably the semi-detached bungalow to the north east.

The current application is for the erection of two semi-detached dwellings, which would be two storeys in height. The proposed dwellings would be set back behind the front facade of the neighbouring properties to the south east side, allowing the development to sit comfortably on the site. In addition, it is considered that the proposed development would relate well to these neighbouring two storey semi-detached dwellings, appearing in keeping with the character of the area. Surrounding buildings are a mixture of brick and render and it is therefore considered that the use of weather boarding would not be appropriate, given the context of the site and its surroundings. A condition could be added that requests a full

Ref: Y/65/07/

CONCLUSIONS

schedule of materials prior to development.

The closest two storey property to the south east side has 3 no. first floor windows to the side elevation that would face towards the site. Two of these windows are obscure glazed, whilst the window closest to the front of the building appears as a habitable bedroom window. It is noted that the setting back of the proposed dwelling would minimise any overbearing effect that the proposal could have upon this neighbouring dwelling. Further, the windows that face towards this neighbouring site are bathroom windows and could be obscure glazed via a condition.

The closest dwelling to the north east side of the site is a semi-detached bungalow, with no windows at first floor level or within the roof slope that face towards the application site. At the outline stage, there were concerns that the proposed development could have an overlooking effect upon the garden area of this property. However, the proposal has been sensitively designed, being set back away from this dwelling and further, all windows that face towards this neighbouring site are bathroom and landing windows which could be obscure glazed via a condition.

It is therefore considered that the proposed development has been sensitively design to reflect the character of neighbouring properties and the surrounding area. It is considered that provided conditions are imposed relating to the obscure glazing of windows and the use of appropriate materials the proposal would represent an acceptable development that would not cause demonstrable harm to the residential amenities of any neighbouring properties, by way of overbearing effect, loss or privacy or loss of light. It is also not considered that the addition of two semi-detached dwellings of the scale and siting proposed, would not appear obtrusive in the street scene, and nor would they conflict with the established character of the surrounding residential area. In addition, the development is in accordance with Government advice in PPS3, in that it makes efficient use of land.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.

RECOMMENDATION
TOWN AND COUNTRY PLANNING ACT 1990

Y/65/07/

RECOMMENDATION

Application Ref: Y/65/07/

1**To Addressee****2****Site Address**

60 Tack Lee Road
Yapton

3**Description of Development**

Proposed erection of two semi-detached houses

4

In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

Y/65/07/

- CONDITION 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).

- CONDITION 2** No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 3** The dwellings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 4** The first floor windows on the north east and south east elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 5** No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the north east or south east elevation of the buildings hereby permitted which adjoin the side boundaries with No. 60 and No. 62 Tack Lee Road without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 6** No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RECOMMENDATION

Y/65/07/

RELEVANT POLICIES

● STRUCTURE PLAN: LOC1, DEV1, DEV5, CH1, NE2, NE17.

LOCAL PLAN: GEN2, GEN7, GEN12.

NATIONAL POLICIES: PPS1, PPS3, PPG13.

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Miss C Forrest

