

n.j.a town planning Ltd

APPLICATIONS & APPEALS SERVICES

**17 CANAL ROAD
YAPTON
WEST SUSSEX
BN18 0HD**

**Retrospective application for change of use of land
to garden land and erection of workshop/hobbies
outbuilding**

**PLANNING, DESIGN
& ACCESS STATEMENT**

NJA/19/332

January 2020



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1.0 INTRODUCTION

1.1 Retrospective planning permission is sought for the change of land from hardstanding associated with a rear courtyard to garden land together with the erection of a detached outbuilding which is used as a workshop/hobbies room.

1.2 This Supporting Statement addresses the design and access issues as well as relevant planning policy, having regard to the requirements of Article 8 of the Town and Country Planning (Development Management Procedure) Order 2015. The details of the proposals will be described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed additional accommodation;
- **Amount** – the extent of development on the site;
- **Scale** – the physical size of the development;

- **Layout** – the relationship of the proposed extension and alterations to neighbouring properties;
- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Access** – access to the development and parking provision.

1.3 The Council is requested to consider this Statement alongside the submitted plans and this demonstration that the proposed development accords with the relevant planning policies and is acceptable in all respects. It is hoped that the Council will support the proposal and grant Planning Permission.

2.0 PHYSICAL CONTEXT

- 2.1 17 Canal Road occupies a plot that tapers in width as it extends eastwards from Canal Road to where it adjoins a rear parking courtyard laid to hardstanding. The property itself is a semi-detached two storey dwellinghouse constructed from brick elevations sitting under a pitched tiled roof. The plot has both front and rear gardens which are mainly hard surfaced containing elements of soft landscaping. Land to the rear of the garden provides hardstanding for residents for the parking of vehicles under permissive access rights. Parking is unallocated.
- 2.2 Land subject of the application site, as an extended garden area was originally purchased from Arun District Council in 2000 by the previous owners of 17 Canal Road. The Deeds to the property and the Land Registry record this land for use as 'garden land' and has been for approximately 20 years. The plot has an open frontage to Canal Road with boundaries to the north and south demarcated by close board fencing.
- 2.3 The property is located within a street scene comprised of residential properties of similar character and appearance

with a mix of brick, rendered and boarded elevations. Properties are evenly spaced throughout the street with good sized plots which gives regularity to the public domain.

- 2.4 The site has no relationship to any heritage assets such as listed buildings or Conservation Areas. In addition, the site is not within any fluvial flood zone according to the Environment Agency flood risk maps but the rear garden and land beyond is at low to medium risk of surface water flooding.
- 2.5 The aerial photograph below shows the relationship of the site to its immediate surroundings.



17 Canal Road

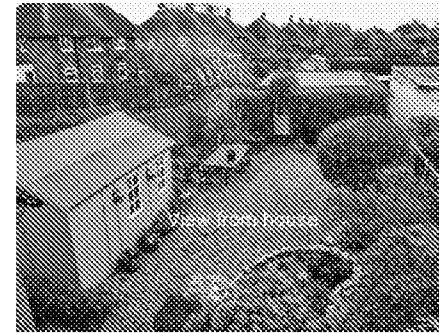
- 2.6 The images below and adjacent provide a closer view of the area of land which has been incorporated as garden land to the property and how this relates to the rear parking court.



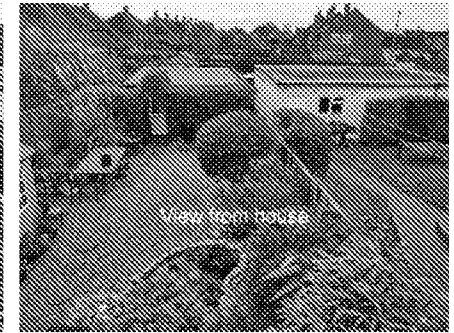
Taken from Google maps



Google Street Scene View from March 2009



View from house



View from house



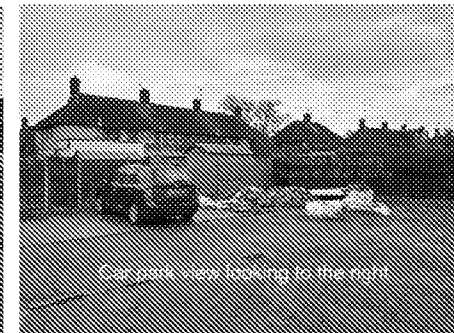
Car park view



Car park view

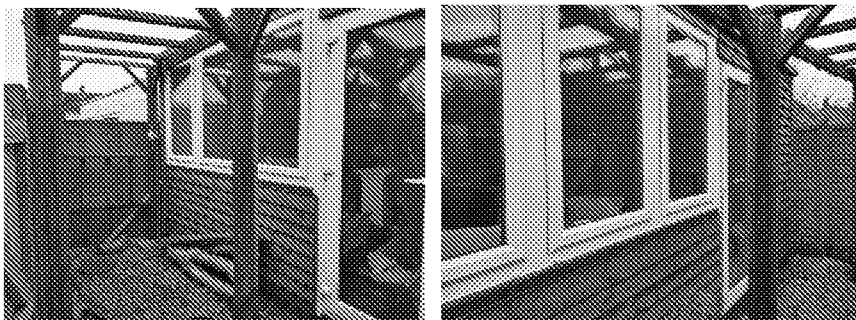


Car park view looking away



Car park view looking to the right

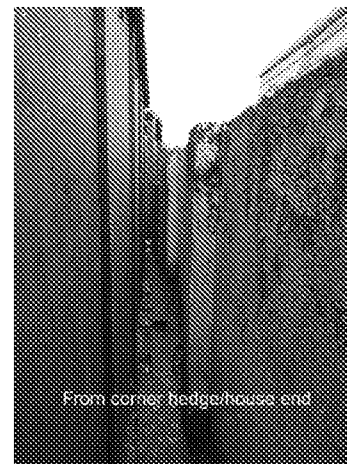
- 2.7 Images below illustrate the workshop/hobbies building with adjacent pergola. It should be noted that the building is not yet complete with further external work required to ensure an aesthetically pleasing external appearance. It is additionally intended to add a fresh treatment to the surrounding fencing.



East elevation



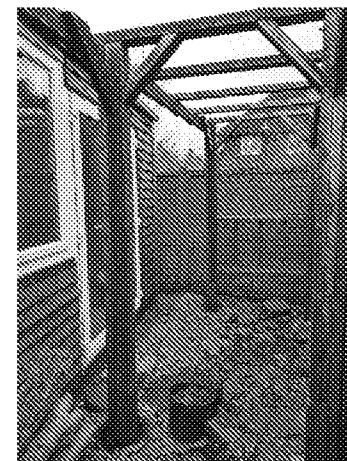
North elevation



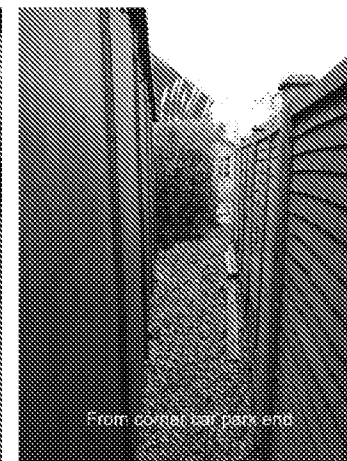
South elevation



West elevation



East elevation



North elevation

3.0 PLANNING HISTORY

- 3.1 The application site lies within the administrative area of Arun District Council. An inspection of the Council's planning register reveals no previous planning history.

4.0 PLANNING POLICY CONTEXT

National Planning Policy Framework (NPPF)

- 4.1 The NPPF (2019) confirms its status within the planning process at paragraph 2 where it states: *"The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions"*. The NPPF is therefore afforded weight in the decision-taking process.
- 4.2 The NPPF reinforces the drive for sustainable development within paragraph 7 stating that *'the purpose of the planning system is to contribute to the achievement of sustainable development.'* The pursuit of sustainable development continues to have three dimensions, now expressed as

objectives, comprising an economic objective, a social objective and an environmental objective.

- 4.3 Paragraph 9 states that in pursuing sustainable development *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."* This paragraph is of paramount importance which identifies that the objectives of sustainable development outlined in paragraph 8 of the NPPF should be taken as a guide when determining what is sustainable, reinforcing that each planning decision has to be made on its own merits having regard to local circumstances.
- 4.4 Chapter 4 of the NPPF addresses decision-taking. Paragraph 38 states that ***'Local planning authorities should approach decisions on proposed development in a positive and creative way.'***
- 4.5 In respect of car parking provision, Chapter 9 of the Framework states that if setting local parking standards, Local Planning Authorities should take into account the accessibility of the development, its type, mix or use, the availability of and opportunities for public transport, local

car ownership levels and an overall need to reduce the use of high emission vehicles.

- 4.6 Chapter 11 of the NPPF requires that development makes effective use of land with Paragraph 117 advocating that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”*.

- 4.7 The NPPF (2019) places great emphasis upon the creation of high quality buildings and places within Chapter 12. Paragraph 124 sets out that *‘Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’*. Paragraph 127 sets out a number of tests for achieving high quality development set out within paragraph 127, which includes ensuring that developments (in summary):

- a) function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character, including the

surrounding landscape setting.

- 4.8 Chapter 15 of the NPPF gives consideration to the natural environment. Paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, by recognising the wider benefits of eco system services and by minimising impacts on biodiversity. This is continued within paragraph 174 which refers to biodiversity and states that local planning authorities should preserve and enhance biodiversity. It is also required that new development should adequately mitigate against any potential harm, with encouragement given to incorporating biodiversity enhancements in and around new development.

Local Planning Policy

- 4.9 The local Development Plan comprises the Arun Local Plan 2011 – 2031 which took effect in July 2018.
- 4.10 The relevant Local Plan policies to this development proposal comprise:

- Policy SD SP1 – Sustainable development
- Policy D SP1 - Design
- Policy D DM1 - Aspects of form and design quality
- Policy T SP1 - Transport and Development

- 4.11 Policy SD SP1 (Sustainable development) states that a positive approach will be taken to development proposals that reflect the presumption in favour of sustainable development and will work proactively to find solutions to secure development.
- 4.12 Policy D SP1 (Design) requires that new development makes efficient use of land whilst reflecting the characteristics of the local area in all aspects of design.
- 4.13 Policy D DM1 (Aspects of form and design quality) sets required criteria for the assessment of new development, having regard to character, appearance/attractiveness, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout, public art, density, scale and form.

- 4.14 Policy T SP1 (Transport and Development) requires development to minimise the use of the car, to provide for appropriate parking, and encourages healthy lifestyles.

Neighbourhood Planning

- 4.15 The site lies within the area covered by the Yapton Neighbourhood Plan 2014-2029 which additionally forms part of the development plan. The Neighbourhood Plan was made on the 5th November 2014. Of the policies contained within the Neighbourhood Plan, Policy PK1 is the only policy that has relevance to the development.
- 4.16 Policy PK1 (Parking Standards for new residential development) sets levels of parking expected to be provided to serve residential properties.

5.0 DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

- 5.1 In addressing the principle of development, the Development Plan provides opportunity for householders to extend and alter their properties or land in their ownership beyond works which could otherwise be undertaken using permitted development rights. The proposed development comprises the change of use of land originally laid to hardstanding to garden land and the erection of a workshop/hobbies building to be used for purposes incidental to the dwelling.

Change of use of land

- 5.2 The site would be retained as a single planning unit but would regularise the longstanding use of the land to the rear of the original residential curtilage which was incorporated into the garden approximately twenty years ago since it was sold to the property in 2000. There have been no other intervening uses. The length of time since the land was incorporated into the garden is a material planning consideration which should be afforded weight in the decision-taking process.

- 5.3 The amount and scale of the land seeking regularisation is modest, extending approximately 8.0m to 9.3m in depth and is approximately 6m in width. This utilises space within the corner of the parking courtyard set between the rear boundaries of 2 Foundry Road and 19 Canal Road, with the area itself not useable for parking given accessibility to a corner position and the presence of an outbuilding to the rear of 19 Canal Road.

- 5.4 The amount of land has no impact upon the character of the area as viewed from the courtyard and does not affect the street scene of Foundry Road to the north or Canal Road. The land is enclosed by close boarded fencing which is a boundary treatment commensurate with other boundaries similarly abutting the courtyard and is also soon to be retreated to improve the current appearance.

Operational Development

- 5.5 The extended garden land accommodates an outbuilding to be used incidental to the property as a workshop/hobbies building. The building would not provide any primary habitable accommodation such as

living or sleeping space and is not provided with any running water or drainage.

5.6 The building is single storey sitting under a shallow sloping flat roof and with a footprint of 4.7m by 6.2m and rises to a maximum 2.5m in height. Furthermore, the building does not extend over more than 50% of the garden area. As such, the building has been scaled to accord with the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class E for buildings incidental to the enjoyment of a dwellinghouse.

5.7 In addition to the dimensions of the building, the proposal would have otherwise accorded with the criteria to Class E in which:

- the building is not sited forward of the principal elevation;
- the building does not have more than a single storey;
- the building is not situated within the curtilage of a listed building;
- the building does not include a verandah, balcony or raised platform;
- the property is not within a designated area.

Therefore had the land in question benefitted from permitted development rights, the building would not require planning permission.

6.0 LAYOUT, DESIGN & APPEARANCE

6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment with the Local Plan Policies D SP1 and D DM1 considering matters of design, requiring new development to be of a high quality, with an attention to detail. These policies place weight upon the effect of new development upon its surroundings having regard to matters of design, scale, materials, siting and layout as well as the relationship to neighbouring development and the setting in the landscape.

6.2 In having regard to the development plan policies, the change of use of the land has no adverse impact upon the character of the area. The extended garden has a layout which responds to its relationship within the hardstanding to the rear of the plot with the structures accommodated within the space not appearing disproportionate in height or prominence in this location given the siting adjacent to an existing outbuilding.

6.3 Policy D DM1 (Aspects of form and design quality) contains prescriptive criteria for assessing new development. As such the criteria are individually addressed below.

Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

1. Character - Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.

6.4 The proposed development would make efficient use of an otherwise less accessible area of land to the rear of the garden set within a corner of the courtyard that was not accessible for parking. The use of the land is commensurate with the area and the outbuilding erected is additionally common in form, scale and massing as well as external appearance to domestic buildings found within nearby gardens. Indeed, the existing garden already had a shed positioned parallel to the northern boundary and there is a large outbuilding also sitting upon former courtyard land to the south of the site at 19 Canal Road.

6.5 The proposal therefore has regard to the character of the area and would not overdevelop the plot or appear disproportionate to structures in the surrounding area. The outbuilding itself has minimal detail ensuring that it remains functional in its appearance with a pedestrian door to the west elevation and double doors to the east which open outwards underneath a pergola. The proposal accords with criteria 1.

2. Appearance/attractiveness - Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.

6.6 Criteria 2 overlaps with Criteria 1, both referring to design matters having regard to materials and landscaping. It is reiterated that the design of the outbuilding was informed by the site area and the character of structures found elsewhere, typically within rear gardens to residential properties. The current appearance will be enhanced once the elevations are complete. The structure is provided with landscaping to the west affording screening to the remaining garden.

6.7 The curtilage to the site would remain landscaped as private amenity space thus being sensitive to the site and its surroundings. The proposal therefore accords with criteria 2.

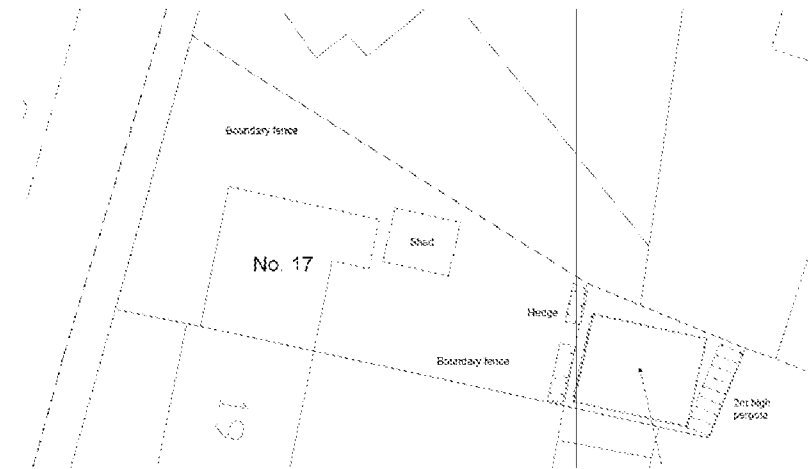
3. Impact

Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

6.8 The development has minimal impact upon neighbouring properties. Whilst the outbuilding is visible, this is positioned beyond the rear boundaries of gardens fronting Foundry Road and Canal Road. The height of the building is additionally not excessive with the massing minimised by the flat roof. The structure does rise above the adjacent boundary treatments and as such would extend the existing level of shadow caused by the fences, but not to an extent that would result in adverse harm to the enjoyment of the respective gardens which are south facing.

6.9 The outbuilding generates no harm to privacy nor would its use cause adverse harm to noise and disturbance. Any noise generated by the use of the building would be commensurate with any domestic workshop/hobbies room.

Figure 1: Site Layout



4. Innovation

Raise standards of design by embracing appropriate innovative design, new technologies and construction techniques, where a development proposal has the potential to do so.

6.10 The development seeks a change of use and the erection of a domestic scaled outbuilding for use incidental to the

host dwelling. There is not opportunity to embrace innovative design and technologies given that the structure is functional in use and appearance.

5. Adaptability

Acknowledge diversity and difference. Buildings and places should be flexible to future adaptation, including the changing needs of occupants (for example ageing users, family circumstances), changes in wider work and social trends, and be able to accommodate potential differing uses of public space.

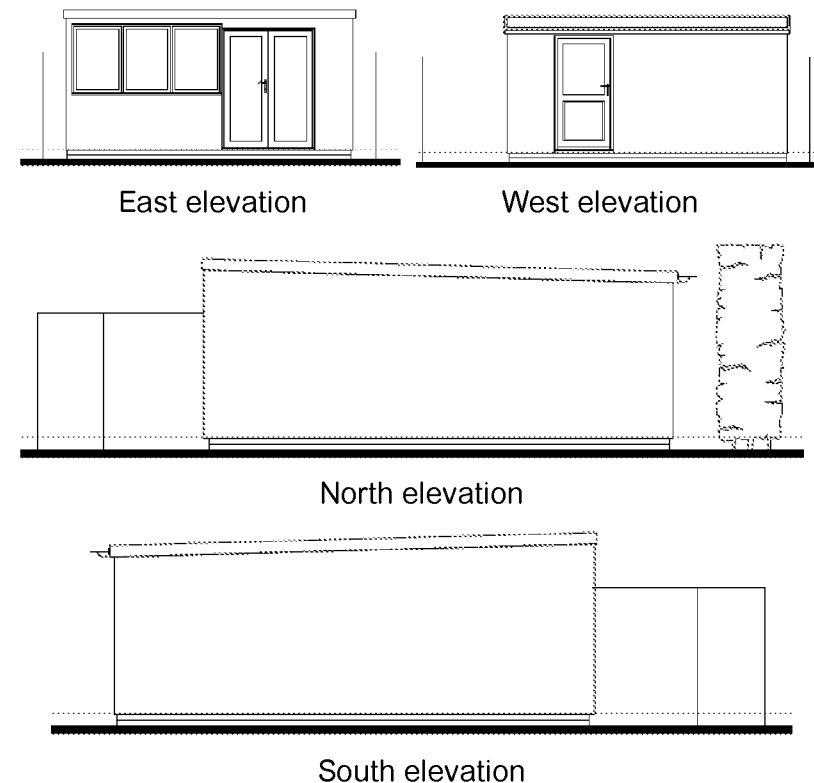
- 6.11 The development is specifically designed to meet the needs of the occupants and to facilitate the enjoyment of their property. The development does not include public space therefore this aspect of the criteria is not relevant.

6. Crime prevention

Provide security measures that make places feel safer. This shall be achieved through natural surveillance and human presence by locating buildings and play areas along public routes and spaces, and making a clear division between private and public land to foster a mutual protection through territorial belonging. With respect to crime prevention, regard shall be had in particular to the document 'Secured by Design' and the 'Safer Places - The Planning System and Crime Prevention'.

- 6.12 The development affects an existing residential property and would continue to maintain natural surveillance across the plot. The works would also maintain a clear public and private domain as currently found on site.

Figure 2: Elevations



7. Trees and woodland

All new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

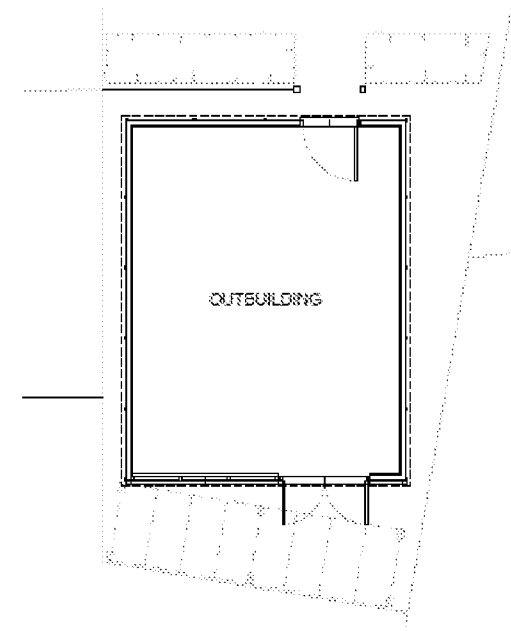
- 6.13 The development has no impact upon existing planting within the curtilage of this private residential dwelling and no new planting is proposed with the development. No trees are therefore affected.

8. Solar gain

Within the constraints of the site and local context development proposals should, maximise sunlight and passive solar energy. Ideally development should be positioned (within a 15-20 degree margin) broadly south, with streets having an east-west pattern.

- 6.14 The orientation of the site is prefixed therefore the development addresses the existing orientation. The site therefore already benefits from natural sunlight and passive solar energy which would not be affected by this proposal. The design of the outbuilding includes windows and glazed doors which have glazed panels therefore allowing natural daylighting and heating, but given the east/west orientation would not result in excessive internal temperatures.

Figure 3: Ground floor plan



9. Public realm

Provide or enhance layouts, streets and public spaces so that they are attractive, socially inclusive, safe and secure, adaptable, with appropriate provision for planting, street furniture, and facilities for bicycle storage to create a place with attractive and successful outdoor areas.

- 6.22 The development would have no contribution to the public realm and does not provide any public realm features therefore criteria 9 is not relevant.

10. Layout – movement

Utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept.

- 6.23 Criteria 9 is not relevant.

11. Layout – legibility

Deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building detail, signage).

- 6.24 The development has no impact upon the ease of navigation or street furniture.

12. Public art

Public Art should be incorporated into schemes where there is capacity to do so. Public art can encompass a wide variety of elements to include art as part of the design of buildings and developments, landscape and planting, street furniture, signage and lighting in the public realm which is accessible to all. This can also result in physical, permanent artworks and sculptures.

- 6.25 The proposal is for works at a single private residential dwelling therefore provision of public art is not relevant.

13. Density

The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity.

- 6.26 The development has no impact upon the density of development in this location.

14. Scale

The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

- 6.27 The change of use of land to form additional garden space would not result in a garden area of excessive size that would be out of keeping with the character of the area or impose upon any public accessible space. The scale of the extended garden area is therefore appropriate to the character of the locality.

- 6.28 The outbuilding erected extends spreads across the width and depth of the additional garden land and whilst this rises above the boundary treatment and is publicly visible, sits lower than the neighbouring garage at 19 Canal Road. The scale of the building therefore is not disproportionate to existing development in this locality.

15. Aspects of form and design quality

Development should also comply with the Arun District Council Design Guide.

- 6.29 Matters regarding scale and massing have been addressed in relation to criteria 1. No Supplementary Planning Document titled 'Arun District Council Design Guide' could be found on the Council's website therefore it is not possible to specifically refer to this. Notwithstanding this, the proposal is considered to accord with the requirements of the development plan with regard to all aspects of design and is therefore considered to have an acceptable impact upon the character and appearance of the area.

Natural Environment

- 6.39 The NPPF requires that local planning authorities should preserve and enhance biodiversity and that new development should adequately mitigate against any potential harm. Locally, Policies ENV SP1 (Natural Environment) and ENV DM5 (Development and biodiversity) require that new development seeks to achieve a net gain in biodiversity and protects existing habitats and protected species on site.
- 6.40 The site is not located within any area designated for its ecological interest and is not within any isolated rural area. The site is also not surrounded by significant mature trees or vegetation that would provide roosting or nesting sites.
- 6.41 The development also retains the existing rear garden which contains planting ensuring that the proposal results in no net loss in biodiversity value. There is no conflict with the relevant development plan policies or advice set out in the NPPF addressing biodiversity, with the proposal also ensuring that the characteristic landscape of the locality would be safeguarded.

6.42 The site sits within an area that is at low risk from fluvial flooding and low risk from pluvial flooding. The development would give rise to no new demands or adverse impacts upon drainage.

7.0 ACCESS AND PARKING

- 7.1 Local Plan Policy T SP1 (Transport and Development) and Policy PK1 of the Neighbourhood Plan ensures that development meets its transport demands and is designed to minimise additional traffic generation, provides for safe and easy movement and meets parking requirements.
- 7.2 The proposal utilises land to the rear of the original curtilage of the site which was laid as hardstanding and sits within a parking courtyard that contains unallocated parking spaces. The courtyard is often unattractive in appearance with the dumping of rubbish that can take place and the proposal can only help enhance the appearance of the parking area.
- 7.3 Given the siting of the land within a corner of this courtyard, it was not easily accessible for parking, notwithstanding the relationship with a neighbouring garage. The development therefore has no impact upon parking requirements and has had no impact for approximately twenty years since it was sold in 2000. The development would therefore retain sufficient parking to meet the requirements of the Local Planning Authority.

8.0 CONCLUSION

- 8.1 Retrospective planning permission is sought firstly for the extension of the garden land relating to the property 17 Canal Road, Yapton. This addresses works which occurred at least 20 years ago whereby the land had formally comprised hardstanding relating to a rear parking courtyard that was positioned as to be impractical for parking purposes. The land was sold to the property by the Council for use as 'garden' as detailed within land registry/deeds to the dwelling.
- 8.2 Upon this land an outbuilding has been constructed to provide a workshop/hobbies room for incidental use to the host dwelling. The works are nearing completion with finishes to the external elevation to still be carried out along with the fencing to be retreated.
- 8.3 The development does not extend the garden space in a disproportionate manner or result in overdevelopment of the plot which remains in residential use. The workshop/hobbies building, whilst visible to the rear courtyard rising above the boundary fence, is of a simple

design without unnecessary embellishment. The building is commensurate in scale and appearance to many outbuildings found within rear gardens and sits parallel to a larger outbuilding to the rear of 19 Canal Road. The outbuilding is dimensioned to have accorded with permitted development rights had these been available to the area of land subject of this application.

- 8.4 The outbuilding is visible to neighbouring properties, however is not of a scale, height or massing that results in any unacceptable overbearing effects nor is there any adverse impacts upon privacy and light. The building is also sited to the rear of the neighbouring gardens therefore has no impact upon any public street scene and therefore no adverse harm arises upon the character and appearance of the area
- 8.5 With no harm to the natural environment and no impacts upon parking provision, it is concluded that the proposal complies with the elements of sustainable development. The proposal therefore complies with the NPPF and the relevant policies contained within the Development Plan and it is hoped that planning permission will be granted.