Y/79/05

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	New detached chalet bungalow (amendment to application Y/27/05) Site adjacent to Clyde Cottage, Bilsham Road, Yapton

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	This is a retrospective application for the revised curtilage to the proposed dwelling which has become evident since the site was cleared and development was started. The overall size of the plot has been reduced. The distance to the eastern boundary is approx., .5m less than previously and the rear northern boundary has moved closer to the proposed bungalow by approx., 30cm.
SITE AREA	330 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	30 dwellings per hectare
TOPOGRAPHY	Predominantly flat. Site is higher than level of Bilsham Road.
TREES	None of any significance affected.
BOUNDARY TREATMENT	Side flint wall 1.6m and fence 1.8m.
SITE CHARACTERISTICS	Clyde Cottage - two storey end of terrace. Flint elevations. Slate roof. Garden area to front, small yard to rear. Application site is parcel of land to side. Formerly existing vehicular access and parking in area of proposal. 'The Bungalow' to east has door and window facing onto application site. Hard standing area in front. Rear pedestrian access to Clyde Cottage from Peak Drive 'Burgraed' has no first floor window facing onto site. Flat roofed garage to side - low 1m high wall on boundary. Garage in front of Clyde Cottage on boundary with 'Burgraed'. Construction works on site have begun.
CHARACTER OF LOCALITY	Predominantly residential – mix of building style and design.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Y/27/05	Erection of single detached chalet bungalow and garage	Approved, Conditionally 6/7/05

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Yapton Parish Council	Awaited
Local Groups	None
2 Letters of objection	A false declaration was made with regard to land ownership of the adjacent property. No measurements are given on plans. Removal of historic flint wall and loss of historic setting to Clyde Cottage. Increase in floor area will lead to a larger roof. Part of Clyde Cottage is used for

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	parking builders' vehicles.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Highway and Transport	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class B Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, CH1, DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPG 3 - 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

Issue of land ownership of Clyde Cottage has been examined with agent. Amended plans including Clyde Cottage and its curtilage within a blue edge have been received. The area in front of Clyde Cottage is confirmed as parking for contractors now, but for use by occupiers of Clyde Cottage in the future so the edging is correct. The removal of the original flint wall and splitting of curtilage into different areas with fencing would not require planning permission. The footprint of the dwelling remains unaltered from the earlier application, only the curtilage has been changed.

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 there would be

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

no materially adverse effect on 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

The amendments to the boundary position are acceptable. The application does not significantly alter from the earlier approval. The plot size and dwelling are commensurate with others in the locality. The central position of the dwelling within the plot means that it is not prominent or obtrusive in the street scene. Indeed, it would not be readily visible.

The position of the dwelling also ensures there would be no adverse overbearing or overshadowing effects on adjoining properties. Overlooking would not cause material harm given the distances involved and orientation of the windows. Whilst the boundary has moved in relation to adjoining properties these amendments do not alter the distance of the application dwelling to the existing neighbouring properties.

The application is therefore recommended for approval subject to the conditions set out overleaf.

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New detached chalet bungalow
(amendment to application Y/27/05)

Site adjacent to
Clyde Cottage
Bilsham Road
Yapton

RECOMMENDATION

Approve Conditions

1 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

2 The building hereby permitted shall not be occupied until space has been laid out within the site in accordance with details approved by the Local Planning Authority for the turning of vehicles clear of the public highway and such space shall not thereafter be used other than as a turning area.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 The building 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 of 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.

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4 This permission relates to the amended plans submitted on 29-11-2005 and not to the plans originally submitted.

Reason: For the avoidance of doubt.