

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

REF NO: AL/103/12/

LOCATION: 2 New Cottages
Lidsey Road
Bognor Regis

PROPOSAL: Rear and side two storey extensions and alterations. Resubmission of AL/102/11

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a two storey rear and side extension and alterations (re-submission of AL/102/11). The proposed two storey side extension will measure 7 metres in height to the ridge, 4.7 metres in width and 8.2 metres deep, and the proposed rear extension will measure 3.4 metres in height, 3 metres in depth and 5.5 metres in width.	
SITE AREA	Approximately 608 sq metres	
RESIDENTIAL DEVELOPMENT DEN	N/A	
TOPOGRAPHY	Raised above road level by approximately 1 metre.	
TREES	None of any significance affected by the proposed development.	
BOUNDARY TREATMENT	Close boarded timber panel fencing to front and side boundaries, approximately 1.5 metres high, supplemented by mature shrubs and vegetation. 3 metre high leylandii to rear and side (north) boundary.	
SITE CHARACTERISTICS	Semi-detached two storey dwelling constructed from brick and white render with pitch, gabled roof and attached outbuilding to rear. Vehicular access at rear.	
CHARACTER OF LOCALITY	Rural. Pair of semi-detached properties located in open countryside to the south of Lidsey Farm.	

RELEVANT SITE HISTORY

AL/102/11/	Two storey pitch roof extension with alterations to existing	Withdrawn 21-12-2011
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REPRESENTATIONS

Representations received:

Comments awaited.

Comments on Representations received:

Awaited.

CONSULTATIONS

Engineers (Fluvial Flooding)

Consultations responses received:

Drainage Engineers: As per the previous application on this site, the development will require full surface water designs to be submitted to show that the surface water disposal is adequate to serve the proposals.

Comments on Consultation responses:

Comments noted. A condition is recommended to this effect.

POLICY CONTEXT

Designation applicable to site:

Class A Road

Outside built-up area boundary

Special Control Advertisements

Overhead electricity line

No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[DEV19](#)

Protection of the Countryside

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The Emerging Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally

adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding 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

PRINCIPLE

The site is located outside the built-up area boundary in open countryside where new development must be sensitively designed to protect the visual amenities of the countryside. In such locations, limited extensions and alterations to dwellings are permitted, provided they comply fully with policy DEV19 of the Arun District Local Plan.

DESIGN AND VISUAL AMENITY

The property is one of a pair of semi-detached properties of identical character and design that occupies an isolated location on a main road in open countryside. There is a gravel access and hardstanding to the side and rear, leading to a number of farm buildings, and some sporadic residential development located to the north.

The site and surrounding area is predominantly flat and there is some screening to the front and side boundaries.

The application is a re-submission of AL/102/11/ and follows negotiation regarding the scale, size and design of the proposed extensions.

The footprint and height of the proposed two storey side extension is reduced and will be set back from the front elevation, in order to be appear visually subservient when viewed from the road. The roofline of the proposed extension is amended from a hip roof to a pitch roof with gable end, in keeping with the host dwelling, and the design of the rear elevation is simplified by omitting a large rear dormer. The chimney is also increased in height. The proposed elevations would be faced in brick at ground floor level and render at first floor level, with a plain clay tiled roof, to match the host dwelling. Although the proposed extension is large and will have a visual impact from the streetscene along Shripney Road, the design is considered to be sympathetic to the character of the host dwelling and the neighbouring semi-detached property at no. 1 New Cottages.

RESIDENTIAL AMENITY

The previous scheme was found to have no adverse impact on the residential amenities of the neighbouring property at no. 1 New Cottages to the south. There is no material change to the site or the relationship to the neighbouring property, and the proposal is therefore not considered to harm the amenities of this property.

FLOODING

With regard to flood risk, the site is located in Flood Zone 1 and partly Flood Zone 2, where there is a low to medium risk of flooding. The site is known to be in an area at risk of surface water flooding. Shripney Road, which abuts the site to the east, was flooded in June 2012. The applicant advises that the crown of the road is approximately 1 metre below ground level at the front of the house. Recent flood waters were 150mm above the crown of the road. The Council's Drainage Engineer states that a condition is required to show that surface water disposal is adequate to serve the development.

SUMMARY

In summary, the amended scheme is a more appropriate scale and design in relation to the host dwelling. The proposal is not considered to adversely impact the rural amenities of the surrounding open countryside or residential amenity. A condition is recommended to secure details of surface water drainage. It is therefore recommended that consent is granted, subject to the conditions outlined below.

HUMAN RIGHTS ACT

FOR APPROVAL

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 to 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 (Neutral) 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).

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: drawing 01 rev A Block and Location Plans, Roof Plan as Existing; drawing 02 rev A Plans and Elevations as Existing; drawing 03 rev C Plans as Proposed; drawing 04 rev C Elevations as Proposed, received on

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

The extension shall not be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and retained as such thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN3, DEV19

NATIONAL POLICIES: National Planning Policy Framework (2012)

AL/103/12/

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.