

Recommendation Report for Planning Permission

REF NO: AL/14/12/

LOCATION: Downfields
Level Mare Lane
Eastergate

PROPOSAL: 2 storey rear extension & pitched roof to existing garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application seeks consent to construct a two storey rear extension to the existing property. The proposal involves the removal of some ground floor additions and replace these with a full width two storey rear extension measuring 10.25 metres wide by 6.5 metre projection with matching pitched roof over. It is also proposed to replace a flat roof over the existing detached garage with a pitched roof having a ridge height of 4.1 metres above ground level.
SITE AREA	Approximately 2300 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Two metre high hedging to both side boundaries.
SITE CHARACTERISTICS	The site is occupied by a two storey detached dwelling comprising painted brick elevations under a plain tile roof situated within a very generous plot. The property has been extended to the rear.
CHARACTER OF LOCALITY	Site is located on western side of Level Mare Lane some 350 metres south of its junction with the A27. The locality comprises one of a small cluster of dwellings in the countryside.

RELEVANT SITE HISTORY

Parish Council comments awaited

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

CONSULTATIONS

Engineering Services Manager
Environment Agency

Consultations responses received:

Environment Agency raise no objections.
Engineers advise that there is no main sewer in the area and surface water must be drained via a SUDS system.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

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 conflict with relevant Development Plan policy DEV19 in that the extension by reason of its overall size would not represent a visually subservient addition.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan, namely 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.

CONCLUSIONS

PRINCIPLE

Whilst the addition is of significant scale and not in the strict sense subservient to the host property, given the size of the host property and generous dimensions of the plot within which it sits, the proposal is not considered to be inappropriate in terms of scale and has been designed to assimilate successfully with the existing property. The proposal, in part, replaces some rearward structures and will be read as integral to the property when completed particularly given the extension of the roof structure over the addition.

VISUAL & RESIDENTIAL AMENITY

Given the relative remoteness of the property and its distance to common boundaries and the use of minor side openings, the extension will have no appreciable impacts on adjoining residential amenity.

It is therefore recommended that the application is approved, subject to the following conditions.

HUMAN RIGHTS ACT

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 for 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 no negative 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).

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 : location plan drg 5, ground floor drg 1A, first floor drg 2, existing elevations drg 3A, proposed elevations drg 4A.

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

- 3 The materials and finishes of the external walls (and roof)of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

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.

- 4 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 Regulation and the recommendations of the SUDS Manual produced by CIRIA. Groundwater level and percolation testing to BRE 365 or similar approved, will be required to support the design of any infiltration drainage.

Reason: In the interests of amenity and to accord with policy GEN9 of the Arun District Local Plan.

- 5 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: GEN 2 GEN7 DEV19

NATIONAL POLICIES: NPPF

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