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

REF NO: **AL/30/13/**

LOCATION: Barn Cottage
Northfields Lane
Westergate Chichester

PROPOSAL: Proposed partial demolition of building above ground floor window level and construction of new first floor and roof including extensions and detached garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed first floor extension measures approximately 13.9m in width, 8.5m in depth with a maximum height of 7.5m. The front and rear dormers each measure approximately 1.2m in width, depth of 2m with a height of 2m. The rear single storey extension measures approximately 5.2m in width, depth of 3.3m with a maximum height of 4.7m. The open fronted porch measures approximately 4.7m in width, depth of 1.2m with a maximum height of 4.5m. The detached garage has a width of 7.5m, depth of 5.2m and a maximum height of 4.6m.
SITE AREA	Approximately 0.12 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall approximately 1.8m in height, rear has mesh fencing with tree screening over 3m in height, south side boundary has close boarded fencing + hedging approximately 1.8m-2.5m in height, north side boundary has wooden posts with mesh fencing approximately 1.5m in height.
SITE CHARACTERISTICS	Detached two storey dwelling with detached garage on south side. The property has flint with brick quoins, red tiled roof with metal window frames.
CHARACTER OF LOCALITY	Northfields Lane comprises a mixture of residential properties many of which are set well back from the highway.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water
A formal application for connection to the public sewerage system is required in order to service this development.

There are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. They should not involve diposal to a public foul sewer.

Due to surface water inundation issues in the Lidsey Catchment, the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development".

Southern Water's current sewerage records do not show any public sewers to be crossing the above site. However, due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site.

Comments on Consultation responses:

Comments noted
If approved, an informative will be placed on any decision regarding the connection to the public sewerage system.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development

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 which was adopted in 2003.

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 conflict with relevant Development Plan policies in that it does not accord with Policy DEV19(ii) in that it is not considered to be visually subservient to the host dwelling.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision in that the extension by reason of its design would not have an adverse impact on neighbouring properties or the surrounding residential area.

CONCLUSIONS

Northfields Lane comprises residential properties which are a mixture of styles and designs that are set well back from the front of the site, many of which have been extended. The dwelling is set back from the front boundary by approximately 24m behind a flint wall. The application seeks to demolish part of the existing building above ground floor level with the construction of a first floor addition with alterations to the roof comprising front and rear dormers. A rear extension is proposed, open sided front porch and the construction of a detached garage.

The existing footprint remains unchanged and the proposed first floor extension has been designed with hipped ends to soften the appearance and reduce the bulk with the provision of two dormers to the front and two on the rear and will increase the existing height from 6.8m to 7.5m. A rear pitched roof extension is also proposed with the addition of an open fronted pitched roof porch. The existing flintwork on the ground floor will be retained with proposed materials being in keeping with the semi-rural character of the area.

The existing garage which is sited on the southern side forward of the dwelling is to be removed

and a replacement garage sited in a similar position. The proposed garage will be larger in scale and size to the existing but has been designed with hipped ends that mimic the design of the dwelling.

With regard to residential amenity there are no dwellings to the rear of the site. The neighbouring property to the north Park Cottage which is a two storey dwelling is sited forward of Barn Cottage approximately 7.5m away and the neighbouring two storey property to the south Mill View approximately 9m away. With adequate distance combined with orientation it is not considered to have an overbearing impact, nor would it give rise to overlooking or loss of privacy.

The proposed garage will be set forward of the dwelling by approximately 5m and 13m from the front boundary. It will be positioned on the southern side approximately 0.5m from the boundary with the neighbouring property Mill View. This property has a hipped roof garage extension that is sited on the northern side boundary and the garage will be set forward of this extension. There are no windows proposed on the south side elevation of the garage frontong Mill View. In view of its hipped roof design it will be higher than the existing structure, however, it is not considered that the garage would be of an overbearing nature or create loss of outlook to the occupiers of this property to recommend refusal.

Whilst the proposal is considered to conflict with Policy DEV19 Section (ii) in that it would not be visually subservient to the existing dwelling. However, it is considered acceptable since it would not have an adverse impact on the visual or residential amenities of the locality, nor would it be out of characer and appearance with the surrounding area.

It is therefore recommended to approve the application, subject to 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 a neutral impact has 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: Site 1:1250, Block 1:500 Drg No 15/13/08/2A received on 11.6.13, Proposed Ground Floor Drg No 15/13/08/4, Proposed Frist Floor Drg No 15/13/08/5 received on 30th April 2013, Garage Floor Plans Drg No 15/13/08/6A, Proposed Elevations Drg No 15/13/08/1A received on 11th June 2013.

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 No development shall be carried out until a schedule of materials and samples for the external finishes has been submitted to and approved by the the Local Planning Authority. The materials and samples so approved shall be adhered to as the construction specfication for the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 The wc windows at fiirst floor level on the west side 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 GEN7, DEV19 of the Arun District Local Plan.

5 No windows or other openings shall be formed in the south side elevation of the garage without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of the adjoining residential property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

6 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, S023 9EH (Tel: 01962 858688), or www.southernwater.co.uk.

Due to surface water inundation issues in the Lidsey Catchment, the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development" details of which are available on the website.

report

7 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: GEN3, GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

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

8 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.