

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** AL/34/17/HH**LOCATION:** The Studio
Tudor Drive
Westergate Aldingbourne**PROPOSAL:** Single storey extension, car port & new first floor window**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The extension and car port would be to the north elevation over the existing driveway area. Timber cladding is proposed with rendered block work walls and a felt roof. Retention of road facing first floor, two light window.
SITE AREA	0.05 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fence to sides with trees and 1.2m ranch fencing to front.
SITE CHARACTERISTICS	Back land site with detached two storey house with garden to side and front, driveway to front.
CHARACTER OF LOCALITY	Residential, various housing styles, mainly two storey detached and semi detached with some bungalows.

RELEVANT SITE HISTORY

AL/40/97	Extension to form double garage and additional bedroom space	ApproveConditionally 01-10-1997
AL/37/13/	Extension to form double garage and additional bedroom space.	Refused 22-08-2013
AL/75/70	Extension	ApproveConditionally 16-12-1970
AL/7/71	Alterations to approved plans for extension	ApproveConditionally 10-03-1971
AL/35/75	Additional bathroom and bedroom extension	Approve

23-04-1975

Existing extension granted permission.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection.

One online comment of no objection, seeking assurance that the car port would not be used for housing a motor bike repair business.

One email objecting to the first floor window on the grounds of overlooking into a neighbouring lounge/dining area.

Comments on Representations received:

Comments noted.

The application is not for the extension to be used as a repair workshop. This would require a separate planning application.

The first floor window would be 15m away from the lounge window the objection is referring to and would only have a view of the top of that window. As such it is not considered to result in significant loss of privacy through overlooking.

CONSULTATIONS

Southern Water Planning
Engineers (Drainage)

Consultations responses received:

DRAINAGE ENGINEERS

No response at time of report writing.

Comments on Consultation responses:

It is highly likely the Drainage engineers would require pre-commencement condition ENGD2A for surface water investigation. Given this is a large extension which could not be constricted under permitted development, the condition will be imposed as it is reasonable and necessary.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary
Lidsey Drainage Catchment Area (high water table)

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
GEN2
GEN7
GEN9

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
Foul and Surface Water Drainage
D DM1 Aspects of Form and Design
Quality

[Publication Version of the Local
Plan \(October 2014\):](#)

	D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
	SD SP2 Built-Up Area Boundary
	W DM2 Flood Risk
Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY EH5	Development in Flood risk areas will not be supported unless...
	Surface Water Management
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development
Aldingbourne Neighbourhood Plan 2016 POLICY H1	New housing or altering dwellings
	Quality of Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently

suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Aldingbourne NDP has policies relevant to this application.

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

DESIGN AND VISUAL AMENITY

Saved policies DEV19, GEN7 and Aldingbourne NDP Policy H1 require extensions to be of a high standard of design, be visually subservient to the main building and not compromise the established spatial character and pattern of the street by reflecting local character. The window and extension with car port are considered to be in character and subservient to the main dwelling. The car port would have a shallow, pent roof and is designed to have the appearance of a barn, with timber cladding to match that of the existing house (exact type of cladding to be confirmed by condition). It would be single storey to be subservient to the main house. Whilst located to the side, from Tudor Drive it would appear as a front extension. Although front garages are usually at odds and damaging to the character of a street scene, the make up of this street is largely back land in nature with 'The Bungalow' opposite, built up to the highway, making a sense of enclosure in the street. This extension is in character with that element of the street's nature.

The window to be retained is similar in character to the other windows of the house and is acceptable in terms of design and visual amenity.

The development is considered to meet the aims of GEN7, DEV19 and Aldingbourne NDP policy H1 and is acceptable in terms of design and visual amenity.

RESIDENTIAL AMENITY

Policy GEN7 requires development to:-

"...not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;"

Policy DEV19 iii allows extensions if:

"the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;

The first floor window is 15m away from the lounge window of 'The Bungalow' located opposite, and would only have a view of the top of that window. As such it is not considered to result in significant loss of privacy through overlooking.

The car port and extension would be single storey and are not considered to be high enough or located in a location (to side not directly adjacent to an properties other than 'The Bungalow') that could lead to an overbearing impact or overshadowing to neighbouring residential amenities. Thus the proposal meets the requirements of GEN7 and DEV19 and is acceptable in terms of impact on residential amenity.

PARKING

Policy GA3 of the Aldingbourne NDP promotes the retention of off and on street parking. This proposal would not reduce the off street parking on the site as the car port would create shelter for vehicles but not reduce the opportunity or number of parking spaces off street. The proposal is considered to comply with GA3 of the Aldingbourne NDP.

SURFACE WATER DRAINAGE

Policy It is highly likely the Drainage engineers would require pre-commencement condition ENGD2A for surface water investigation. Given this is a large extension which could not be constricted under permitted development, the condition will be imposed as it is reasonable and necessary.

The application is considered to comply with the Development Plan is recommended for conditional approval.

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 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 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).

The proposal would have a neutral impact on the protected characteristics.

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:-

201672-01 Rev A
201672-04 Rev C
201672-03 Rev B

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 above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed extension and car port have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character by endeavouring to achieve a building of visual quality in accordance with policy 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 Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter 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.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base

of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.

- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.