

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

REF NO: AL/42/15/HH

LOCATION: 9 Elmcroft Place
Aldingbourne

PROPOSAL: Two storey side extension to replace garage & single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed two storey side extension has a width of 3.6m, depth of 7m with a height of 7.1m.

The proposed single storey extension has a width of 3.825m, depth of 2.8m with a maximum height of 3.7m.

SITE AREA

Approximately 314 square metres.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Front is paved and open to the highway, rear has close boarded fencing with established hedging over 2m in height, west side boundary has close boarded fencing with trellis over 2m, east side boundary has close boarded fencing/trellis approximately 1.5m in height.

SITE CHARACTERISTICS

Semi-detached two storey property attached to garage of No 9. The property has red brickwork, concrete tiled roof with white window frames.

CHARACTER OF LOCALITY

Residential cul-de-sac comprising predominantly semi-detached two storey properties of similar style and appearance. Aldingbourne Cottage to west of site is single storey in appearance.

RELEVANT SITE HISTORY

PAA/111/14/	To replace the detached garage with a two storey extension.	Approve Pre App 22-09-2014
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REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer.

We request that should this application receive planning approval an informative is attached to the consent regarding connection to the public sewerage system.

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.

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".

Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Engineers comments in respect to surface water drainage:
Soakage should be investigated for new roof area.

Please apply standard conditions ENGD2A.

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 BRE365, 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.

Comments on Consultation responses:

Southern Water comments noted

If approved, an informative will be placed on any approval regarding new connection to the

public foul and surface water sewer.

Engineers comments noted,
If approved, a condition will be imposed regarding surface water drainage.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: DEV19
GEN2
GEN7
GEN9

Publication Version of the Local
Plan (October 2014):

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
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
W DM3 Sustainable Urban Drainage
Systems

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

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 in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldingbourne Parish Council have just completed a consultation period on the first draft of their Neighbourhood Development Plan.

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

The property is sited at the end of a residential cul-de-sac which consists of predominantly two storey semi-detached properties of similar style and design. The adjacent property to the west Aldingbourne Cottage is single storey in appearance.

The application seeks to remove the single storey garage on the western side and replace with a two storey and single storey extension. The proposed two storey extension which has a width of 3.6m will be sited less than 1m from the western side boundary and will project along the west flank wall by approximately 7m, the roof height being no higher than the existing roof. To the rear of the two storey element it is proposed to construct a single storey hipped roof extension which will be of a similar width to the two storey extension with a rear projection of 2.8m and a height of 3.7m.

With regard to residential amenity the adjacent property No 10 has a conservatory on the rear of the dwelling that is sited on the eastern side and the proposed single storey element will be sited approximately 10m away. A new window is proposed at first floor level in the east side elevation of the dwelling which will serve the landing/stairwell. With the absence of windows at first floor level on the west flank wall of the neighbouring property No 10 it is not considered that the proposal would create a loss of outlook or daylight to the occupiers.

The immediate property to the west is a single storey building which was formally a village hall and is now a residential home. There is a flat roof addition that is sited to the boundary with No 9 and the proposed two storey element will be set in line with the rear flank wall of this addition. The proposal has a bedroom window at first floor level on the west side elevation and, if approved, a condition will be imposed that this be obscure glazed and fixed closed up to 1.7m. It is not considered that the proposal would give rise to harmful overshadowing or loss of outlook to recommend refusal.

The proposal is considered to be visually subservient to the host dwelling in terms of its size and height. Whilst it will be readily visible within the street frontage it is not considered to have a significant impact on the visual amenities of the locality or have an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

It is therefore recommended to approve the application, subject to conditions.

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 received on

Location 1:1250 Drg No 9ELM-14 01.
Block 1:500 Drg No 9ELM-14 01.
Proposed Ground & First Floor Drg No 9ELM-14 A104.
Proposed Elevations 1:100 9ELM-14 A102.
Existing/Proposed Roof Drg No 9ELM-14 A105.

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 The materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the host dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The bedroom window at first floor level on the west side elevation of the extension shall at all times be glazed with obscured glass and fixed to be permanently non-opening unless the parts of the window that can be opened are 1.7m above floor level.

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

- 5 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 retained in 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.

- 7 INFORMATIVE: The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel:

0330 303 0119) or www.southern.water.co.Uk.

- 8 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.