

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

REF NO: AL/46/22/HH

LOCATION: 45 Ivy Lane
Westergate
Aldingbourne
PO20 3RE

PROPOSAL: Erection of single storey rear extension and conversion of loft to habitable use including the installation of 1 No. rear dormer with juliette balcony and 2 No. front rooflights.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application proposes a single storey rear extension and a loft conversion with the addition of a rear dormer.

REPRESENTATIONS

Aldingbourne Parish Council have no objection to the application.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:****ADC DRAINAGE**

- Apply standard pre commencement surface water drainage condition due to its location within the Lidsey Catchment Area.

This has been agreed with the agent.

POLICY CONTEXTBuilt up area boundary
Lidsey Catchment Area**DEVELOPMENT PLAN POLICIES**[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH1](#) Built up area boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan.

Aldingbourne has a made Neighbourhood Plan with policy EH1 of relevance to the application. The proposal complies being within the built-up area boundary.

DESIGN AND VISUAL AMENITY

The proposal is located to the rear of the property and will not be visible from the wider area.

The host property is semi-detached and has a cat slide roof to the rear. The extension and dormer add some bulk to the rear as a result of their size although approximately 18m is retained to the rear boundary and it does not appear an overdevelopment of the plot.

The scale of the extension is large however it does not appear excessive when compared to neighbouring properties with examples of similar sized extensions present nearby.

Materials proposed will match the existing which will help it to integrate with the host property.

The Arun Design Guide states 'Favours small scale dormer windows with pitched roofs over large, flat box-shaped designs'. The proposal does not comply with this, being a large scale flat roof dormer, however the harm is reduced as there are no views available from the wider area and the design is a product of the unusual roof shape. With regards to the rear extension, the guide states 'Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form'. 'Extensions of over 50% of existing floorspace unlikely to be considered acceptable'. The proposal complies as it is not over 50% of the floorspace.

With no viewpoints from the wider area, the proposal will not result in adverse harm upon the street scene or character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension is to the western side and will have a total depth of 5.2m. This will have a width of 4m retaining 5.8m to the eastern side. The extension will have a flat roof to a height of 2.75m.

The Council uses a 45-degree rule to assess serious effects on neighbouring properties. The development due to its siting, intersects a 45-degree angle when drawn from the centre of the ground floor rear window at the neighbouring property at No.43 and will result in some overbearing and overshadowing in the morning. However, an extension could be constructed up to this depth with prior approval with no objections from the neighbours and with no representation received, the development is considered acceptable.

The dormer will have a height of 2.75m, a depth of 2m and length of 6.45m. This retains around 1m to the side boundaries and around 2.3m to the eaves. The dormer appears large although a similar proposal is likely to be achievable under permitted development and refusal is not justified. The dormer will have a Juliet balcony and 2 windows serving a bedroom area. This will result in some additional views upon neighbouring gardens which are not currently achievable however this will not result in views direct into properties and there no dwellings directly to the rear.

The proposal will result in some overbearing upon the neighbouring dwelling to the west however this will not be significant and as such the proposal will not result in adverse harm by way of overbearing, overshadowing or overlooking in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development complies with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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

- Block and Location Plan - 035-C-01 Rev A
- Proposed Elevations - 035/C-05
- Proposed Floor Plan - 035/C-04 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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 W SP1, W DM1, W DM2 and W DM3 of the Arun 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.

- 4 INFORMATIVE: 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 infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance of 40% on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. The design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 40%).

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 groundwater table in support of the design. The applicant is advised to discuss the extend of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 5 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.