

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

REF NO: AL/56/20/HH

LOCATION: Norton Dairy
Old Dairy Lane
Norton
Aldingbourne

PROPOSAL: Rear extension and ancillary buildings to existing dwelling. This application may affect the setting of a conservation area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to construct a rear extension and side addition which will form a carport and garage with open canopy area to the rear. There will also be porch.
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RELEVANT SITE HISTORY

AL/74/19/PL	Removal of condition 10 following the approval of AL/92/08/ relating to the tourist accommodation lets (resubmission following AL/37/19/PL).	ApproveConditionally 26-05-20
AL/37/19/PL	Removal of condition 10 following the approval of AL/92/08/ relating to the tourist accommodation lets.	Refused 22-07-19

REPRESENTATIONS

Aldingbourne Parish Council provided no response.

1 letter of objection received from a nearby occupier.

- The applicant is in breach of covenants on the land.
- The proposal is over development.

Comments noted.

Covenants are not a material planning consideration and planning permission be granted regardless of any covenant. Should a planning permission be granted the applicant may need to abide by such covenants and they could preclude the applicant(s) from implementing any grant of planning permission.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Apply standard condition relating to surface water drainage.

This has been agreed with the applicant.

POLICY CONTEXT

Outside built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[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

CONCLUSIONS**PRINCIPLE**

The site is outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to a building with the plot of a dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4). In this case, the key policy considerations are deemed to be D DM1 and D DM4.

Aldingbourne has a made Neighbourhood Plan with policy H1 of relevance to the application. The proposal complies with this policy. The Aldingbourne Neighbourhood Plan is currently under review.

DESIGN AND VISUAL AMENITY

The proposal seeks various alterations to the property. This will include a porch, a carport and garage and rear extension.

The property is at the end of a private road and views from are not visible from the main street scene.

The porch is modest in size and will have a gable roof to match that of the proposed car port.

The carport and garage will be located to the north elevation and will run a depth of around 11.5m with a width of 5.7m. This will have a pitched roof to around 4m in height. There will be an additional 5.2m

forming a veranda to the rear which will curve along the boundary. The carport and veranda have wooden posts and a part glass roof and are not enclosed. Whilst the addition adds bulk to the side of the dwelling, with the largely open appearance this helps ensure the structure doesn't appear unduly dominant.

The materials are similar to that of the existing property which consists of weatherboarding which help to ensure its integration.

Surrounding properties are varied in design and the alterations not significantly out of character.

The proposal as a result of the siting and design is not considered to result in an adverse impact upon the character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The rear extension is situated to the western elevation and will have depth of 3m and a width of 6.1 where it will meet with an existing building line.

The extension will have a pitched roof with a height of 3.65m with eaves to 2.3m. This will be retain only 0.17m to the boundary. There is a brick wall which runs along the boundary between the host dwelling and the neighbouring property at Easter Cottage and the eaves will sit in line with the wall with the roof extending away from the neighbouring property and as such this is considered to help ensure it does not appear adversely overbearing.

There is a kitchen window to the rear elevation of the neighbouring property which the extension would likely intersect when a 45 degree line is drawn from the centre. However, at a depth of 3m and with the roof design sloping away from the boundary, it is not considered to result in a significant impact in which a refusal is justified.

There will be a large window to the extension however this is not considered to give rise to views which are not already achievable.

Due to the siting of the carport, garage and veranda, with an access road running along the north elevation, it is not considered to harm amenity with no neighbouring properties to this elevation.

Due to the siting and design of the proposed development, it is not considered to result in adverse harm upon amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

CONSERVATION AREA

The property just in the Norton Conservation Area. Para 190 of the NPPF requires the LPA to consider the significance of the impact upon that heritage asset. The development proposed as a result the use of matching materials helps to ensure it appears well integrated with the existing dwelling. The additions to the northern elevation whilst large are not readily visible from the wider area and main street scene and therefore I not considered to harm the significance of the asset and preserve the appearance of the Conservation Area in accordance with HERDM3 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with relevant development plan policies and as such 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
 - Proposed Elevations and Block Plan - PL01 Rev A
 - Heritage Statement

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 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 40% 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 regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils 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.