

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

REF NO: AL/67/15/HH

LOCATION: 58 Olivers Meadow
Westergate

PROPOSAL: Garden shed to rear & conversion of garage into habitable space.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application proposes the conversion of the existing garage serving this dwelling into a TV room accessible from within the dwelling and also at the rear into a utility room which would be accessible from the rear garden. External alterations would be the blocking up of a side doubly door and the formation of front window with infill beneath. Matching materials are proposed.

To the north of the dwelling a shed would be erected in the northernmost part of the garden. This would be irregularly shaped due to the narrowing nature of this part of the garden. The shed would be 1.8m high at eaves and 2.1m high at ridge. This would be constructed of dark stained boarding with a grey or green felt roof.

As the site is located within Flood Zones 2 & 3, the applicant has also submitted the necessary Environment Agency form indicating that flood proofing/flood resilience techniques will be utilised, although no details of techniques or measure have been submitted.

SITE AREA

Approximately 0.03 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The site is located within a medium density residential area.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The area to the immediate front of the dwelling is open. A wooden panel fence set within red brick columns with low red brick wall beneath extends from the north front corner of the

dwelling up to the road and then abuts the road northwards, this is 1.8m-2.0m in height. Other boundaries are wooden panel fencing.

SITE CHARACTERISTICS

The site is occupied by a two-storey detached dwelling. This is of red brick construction with cream render at ground floor. The first floor is hung with red plain tiles and the roof tiles are brown concrete profiled tiles. There is a recent single storey extension (AL/87/14/HH) to the north side of the dwelling. This is cream rendered with roof tiles which match the dwelling.

Car parking at the site amounts to the existing single garage to the south side and a car apace in front of this and whilst the site frontage is laid to paviers there is no scope for additional car parking.

There is a layby to the north of site and towards the north end of its garden area. This can accommodate 4 to 5 cars, although was likely to have been provided as visitor parking for the overall development in the vicinity of the site.

CHARACTER OF LOCALITY

The are is predominantly residential and characterised by detached and semi-detached two-storey dwellings of mixed design.

RELEVANT SITE HISTORY

AL/87/14/HH Single storey side extension

ApproveConditionally

23-01-2015

None.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council has not commented.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

The Council Drainage and Coastal Engineer has commented:

Soakaways should be investigated for all new roof areas.

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 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 enclosed for information.

Southern Water (SW) comments that a formal application is required for connection to the public sewerage system and requests an informative regarding this. SW also advises that there are no public surface water sewers to serve the development and that an alternative means of disposal is required. SW also makes comment regarding changes to legislation and location of unknown (now considered) public sewers. In addition, SW also advises that due to inundation in the Lidsey Catchment, the applicant is advised to adopt, where appropriate, the measures in table 'Practical measures to reduce the potential impact of development'.

Comments on Consultation responses:

Consultee comments can be satisfactorily addressed by informatives.

It is not considered that imposing a condition relating to surface water drainage is reasonable or necessary, given that the garage is an existing part of the dwelling and is to be converted. It relies on the existing drainage system for the dwelling and will not give rise to additional surface water run off. The proposed shed is a small building and will not generate any level of significant surface water run off either.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area
Lidsey Treatment Catchment Area
Flood Zones 2 & 3

DEVELOPMENT PLAN POLICIES

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

Built-up Area Boundary
The Form of New Development
Foul and Surface Water Drainage

Publication Version of the Local
Plan (October 2014):

GEN12
DEV19

Parking in New Development
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
T SP1 Transport and Development
W DM1 Water Supply and Quality
W DM2 Flood Risk

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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.

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.

There is no Made Neighbourhood Development Plan (NDP) for Aldingbourne.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7, GEN12 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4, D SP1 and T SP1 in the Emerging Arun Local Plan 2011-2031 (Publication

Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities and to ensure that provision for car parking is adequate.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling/site. The garage conversion proposal is not dissimilar to the appearance of the existing dwelling and provides a continuity of appearance. The proposed shed will for the most part be screened by existing fencing and will not be particularly visible.

The development proposed is considered to be acceptable visually. There is considered to be no detriment to the street scene and the shed can be readily accommodated within the site.

It is therefore considered that the development is in accord with policy relating to design and visual amenity.

RESIDENTIAL AMENITY

The proposed conversion has no side windows and does not give rise to privacy loss. There is no increase in built development. The shed is located well away from surrounding dwellings and is well screened. There is no impact on light and it is not unduly dominant to outlook.

It is therefore considered that the development is in accord with policy relating residential amenity.

PARKING

At the present time, the application dwelling benefits from 1 garage and 1 car space, so 2 car spaces. The loss of the garage will mean that the dwelling will have only 1 car parking space. This is not in accord with parking standards for a 5 habitable room dwelling, which requires 2 to 3 car spaces at least. With the garage conversion, there would be a shortfall of 1 or 2 car spaces at the site.

However, there is a layby which is in very close proximity to the site and which can accommodate 4 to 5 cars. This is a visitor parking bay and is not allocated. It is considered that it would be difficult to justify or to sustain a refusal of planning permission on purely parking grounds. The TV room and utility room are unlikely to give rise to additional parking demand at the site, as they would not serve to accommodate additional residents in this single family dwellinghouse.

Whilst not entirely consistent with policy and parking standards, refusal of planning permission is not recommended.

FLOODING

The site is located within Flood Zones 2 & 3, the applicant has submitted the necessary Environment Agency form indicating that flood proofing/flood resilience techniques will be utilised, although no details of techniques or measure have been submitted. This matter can be dealt with by a planning condition.

It is therefore recommended that the application be approved, subject to the following 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 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

In assessing this proposal Neutral impacts (negative, Neutral or positive) 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).

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 drawings:

Drawing Number 01 - Site Plan, Ground Floor Plans & Elevations - Dated June 2015
Drawing Number 02 - Proposed Garden Shed, Floor Plan & Elevations - Dated July 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 3 The materials and finishes of the external walls of the garage conversion hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 4 Before the development hereby permitted is first commenced details of flood proofing/resilience and resistance techniques to be incorporated into the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that adequate and satisfactory provision is made within the development to address flood risk arising from the location of the site within Flood Zones 2 & 3 in accordance with policies GEN7 and GEN11 in the Arun District Local Plan, 2003 and policy W DM2 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014).

- 5 **INFORMATIVE:** Southern Water (SW) has advised that a formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water at Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW.
Tel: 0330 303 0119.

W: www.southernwater.co.uk

- 6 INFORMATIVE: Southern Water has advised that due to changes in legislation that came into force on 1st October 2001 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public might cross the site or be close to it/affected by development potentially. Should any sewer be found during construction works, an investigation of the sewer will be require to ascertain it condition, the number of properties served, and potential means of access before works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW
Tel: 0330 303 0119.
W: www.southernwater.co.uk
- 7 INFORMATIVE: Southern water advises that due to inundation issues within the Lidsey Catchment where the site is located, the applicant is advised to adopt where appropriate the measures in the table 'Practical measures to reduce the potential impacts of development'.
- 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.