

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

REF NO: AL/72/14/HH

LOCATION: Caigers Cottage
Westergate Street
Aldingbourne

PROPOSAL: Roof extension with new staircase over single storey accommodation & single storey extension on west elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 0.12 hectare.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front has flint wall + trellis and tree screening approximately 2.5m in height, east side boundary has close boarded fencing plus mature hedging approximately 2.5m in height, rear has close boarded fencing plus hedging/tree screening over 2m in height.
SITE CHARACTERISTICS	Detached two storey property with single storey extensions on western side, conservatory on eastern side. The property has white rendered walls with tile hanging on upper level on front elevation, flint on rear elevation, clay tiled roof with white window frames.
CHARACTER OF LOCALITY	Rural track off Westergate Street. Gravel driveway to west side provides access to Reed Cottage. The properties along this track are detached on large plots, two storey detached properties in Belle Meade Close, railway track to south of site.

RELEVANT SITE HISTORY

AL/49/93	New conservatory	ApproveConditionally 18-06-1993
	Alterations and additions	

AL/1/56/B

Approve

15-04-1965

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water
No objections to the proposal.

Engineers

Surface water drainage to the extension should be considered.

The small area of the extension means that it is likely that one or two geocellular soakaway crates may provide sufficient storage for the surface water generated by a 1 in 100 year storm event plus 30%.

The groundwater level should be checked to ensure that shallow soakage is suitable - the crates should be positioned above the peak groundwater level. Soakage test to BRE 365 or similar should be used to confirm suitable infiltration rate.

Condition ENGD2A should be applied.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order
No Public Sewer

DEVELOPMENT PLAN POLICIES

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

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development

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

D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings
(residential and non-residential)
D SP1 Design

SD SP2 Built-Up Area Boundary

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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton

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 application site is accessed via an unmade road off Westergate Street with the railway line to the south of the site. The detached property has previously been extended with single storey extensions on the western side and a conservatory on the east side. The application seeks to construct a first floor extension over the single storey extension and a pitched roof extension on the rear north elevation with external staircase.

The first floor extension will provide a separate annexe with living accommodation on the ground floor and bedroom accommodation at first floor level. The extended roof height will be set slightly lower than the main ridge height with the introduction of three dormers on the east side, which serve a bedroom, bathroom and studio. A new entrance to the annexe is to be provided on the west side elevation but there are no windows at first floor level. The pitched roof extension on the rear north elevation which will provide a studio will be accessed by an external staircase and also internally. If approved, a condition will be imposed that the use of the annexe shall be incidental to the use of the dwelling and shall not be used as a separate unit of accommodation.

With regard to residential amenity the property to the west No 20 Belle Meade Close is sited approximately 7.5m away. On the east side elevation of this property there are two obscure glazed windows at first floor level, window and door at ground floor level. With adequate distance and the absence of windows on the west side elevation of the extension it is not considered that the extension would give rise to a loss of outlook. The detached bungalow to the west Caigers Lodge is sited approximately 25m away. This property has windows on the west side elevation. The west side boundary has fencing to a height of 1.8m and whilst it is noted that the windows at first floor on the east side elevation may create a degree of overlooking to this property it is not considered that this would be of an unacceptable level to recommend refusal. The property to the rear Reed Cottage is sited approximately 20m away. It is noted that there may be the potential for overlooking from the external stairs and platform. However, with boundary hedging and tree screening it is not considered that this would be of an unacceptable level to recommend refusal.

The materials to be used for the construction of the extensions are in keeping with the host dwelling which is rendered and tile hung. Whilst the proposed extensions would be contrary to Policy DEV19(ii) in that they would not be visually subservient to the host dwelling, it is not considered that they would have a significant impact on the visual amenities of the locality, or 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 the 7th October 2014.

Location/Block/Site Drg No 14014/100 Rev A.
Proposed Floor/Elevations Drg No 14014/101 Rev A.

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 bathroom window on the east side elevation of the extension shall at all times be glazed with obscured glass.

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

- 4 No windows shall be constructed at first floor level on the west side elevation of the extension hereby permitted without the prior permission of the Local Planning Authority

on an application in that behalf.

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

- 5 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Caigers Cottage as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 6 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 to be retained 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: Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining land.

- 8 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.