

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

REF NO: AL/78/15/HH

LOCATION: The Paddock
Lidsey Road
Aldingbourne

PROPOSAL: Single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposal would create an extension visually separate from the main dwelling, clad in timber to the east of the existing house. It would be attached by a small flat roof element, the main single storey side extension would have a mono-pitch roof sloping from front to back.

SITE AREA

2140m².

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

2m hedging and various trees.

SITE CHARACTERISTICS

The site is a back land plot with access lane from Lidesy Road running to the south of April Cottage and north of Woodgate House. The site consists of a detached bungalow located centrally within the site, large driveway and detached car port to front and gardens to front, sides and rear. The bungalow itself had a hipped roof with red clay tiles and red brick.

CHARACTER OF LOCALITY

Outside built up area, small grouping of houses mainly detached two storey set back from the road. The area also has some agricultural uses with Woodgate nurseries and associated glasshouses to the west and a farm to the south.

RELEVANT SITE HISTORY

AL/13/48

Revised siting of bungalow.

Approve

report

05-10-1948

AL/13/48/A

Additions.

Approve

13-08-1964

No relevant planning history.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No response received.

One letter of representation received objecting on the grounds of overdevelopment. Also concern about potential for the building to be split into two houses should permission be granted.

Comments on Representations received:

Comments noted.

Given the nature of the extension appears as more of an annexe than a typical extension; a condition will be imposed to ensure it is only used as ancillary to the main house. Whilst the extension is large, a large outbuilding could be constructed under permitted development, so this must be taken into account when assessing the size of the extension.

CONSULTATIONS

Engineering Services Manager
Southern Water Planning
Engineers (Fluvial Flooding)

Consultations responses received:

DRAINAGE ENGINEER-

Infiltration must be investigated for new roof area. Please apply standard conditions ENGD2A.

Infiltration rates for soakaway 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 and 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-

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. Two informatives are requested to be added to the decision should an approval be made. Full comment and condition on ADC website.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan
Class A Road
Outside Built up Area
Specific Control Adverts
Drainage Area
Lidsey Catchment Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>DEV19</u>	Extensions to existing residential buildings
	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN3</u>	Protection of the Countryside
	<u>GEN7</u>	The Form of New Development
Publication Version of the Local Plan (October 2014):		C SP1 Countryside
		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	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. Aldingbourne Parish Local Neighbourhood Plan is not yet adopted so policies can not yet be taken into account in the consideration of this application.

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 outside the built up area boundary. However, given a large outbuilding could be constructed under permitted development of similar size (albeit without being attached to the houses) it is considered the principle of the extension is acceptable.

Given the nature of the extension appears as more of an annexe than a typical extension; a condition will be imposed to ensure it is only used as ancillary to the main house.

DESIGN

The extension has been designed on purpose to be viewed as a totally separate element of the building as it would have a mono-pitched roof and be clad with timber. It would be very modern in appearance as opposed to the traditional 1930's character of the building. As such, given its width and overall size, it can not be considered to be subservient to the main dwelling but it does respect its character by being visually separate and set back from the front of the main dwelling.

Materials have been specified and as the plot's location does not form part of the street scene material samples are not to be required by condition.

NEIGHOURING RESIDENTIAL AMENITY

Given the 35m distance of the proposal from neighbouring residential dwellings and that it is single storey; it is not considered that the proposal would result in a detrimental impact on neighbouring residential amenity.

SURFACE WATER DRAINAGE

The Council's Drainage Engineer has suggested conditions regarding surface water drainage. The condition is considered appropriate in this instance as the extension is large and the site is located within the Lindsey Catchment area.

The application is recommended for conditional approval.

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 family and private 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 is considered to have a neutral impact.

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:

01
02 Rev A
03
04
06
07
08 Rev A
09 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 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 maintained in good 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.

- 4 The extension hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of The Paddock, Lidsey Road, Aldingbourne 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.

- 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.

- 6 **INFORMATIVE:**

Please note:-

-No development or new tree planting should be located within 3 metres either side of the centreline of the foul sewer

-No new soakaways should be located within 5 metres of a public sewer.

-All existing infrastructure should be protected during the course of construction works.

Furthermore, 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, its number of properties served, and potential means of access before any further 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) or www.southernwater.co.uk.

- 7 **INFORMATIVE:**

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk