

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

REF NO: F/19/12/

LOCATION: Cornfields
Burndell Road
Yapton

PROPOSAL: Proposed single storey side extension and new dormers to existing roof (resubmission following F/10/12/) (this application is a Dual Parish with Yapton)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey side extension measures approximately 3.5m in width, depth of 6.6m and a height of 2.9m. The proposed dormers on the east side roof slope each measure approximately 1.6m in width, depth of 2.6m with a height of 1.8m. The dormer on the western roof slope measures approximately 2.3m in width, depth of 2.8m with a height of 1.9m in height.
SITE AREA	Approximately 0.12 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has wall, west side boundary has wall + Close boarded fencing approximately 1.8m in height, east side boundary has close boarded fencing approximately 1.8m in height, rear has shrubs + tree screening then open fields.
SITE CHARACTERISTICS	Detached bungalow with attached garage on western side, conservatory on rear. The property has red brickwork on lower level, white shiplap on upper level with a tiled roof.
CHARACTER OF LOCALITY	Main road with residential properties comprising detached and semi-detached of various styles and designs.

RELEVANT SITE HISTORY

F/3/99/	Ground Floor extension and attached garage	Approve Conditionally 12-03-1999
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F/14/03/	Conservatory on rear elevation	Approve Conditionally 05-09-2003
PAA/28/12/	Construct a small extension to the side of the property & add series of dormers to the roof	Pre-app Issued 03-04-2012
F/10/12/	Proposed side extension & dormer windows to existing roof (this application is a dual parish with Yapton)	Withdrawn 22-06-2012
F/5/59	Four bungalows and garages	Approve 17-02-1960

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

1 Letter of Representation

Whilst the windows in the middle and right hand side overlook our roof the window on the left hand side looks straight into our patio thus depriving us of privacy. We have no objection to the style of the windows and have been informed by the applicant that all of the dormer windows will contain frosted glass.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

A formal application for any new connection to the foul sewer to be made by the applicant or developer. We request that should the application receive planning approval an informative should be attached to any consent.

Comments on Consultation responses:

Comments noted

If approved, an informative will be added to any consent.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Class B Road

No Public Sewer

Area of Special Control for Advertisements

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[DEV19](#)
[GEN2](#)

Extensions to existing residential buildings
Built-up Area Boundary

[GEN7](#)

The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 seeks to construct a single storey extension on the western side of the dwelling

with side dormers.

The main entrance is located on the western side and the single storey extension which will be sited adjacent in front of the existing flat roof structure will create a new entrance hall with utility area and the existing structure will form a dining room. The extension will be set back from the front of the dwelling by approximately 3.5m and will be sited to the boundary of the neighbouring property Ferncroft.

The existing roof space is to be converted into habitable accommodation which will comprise two bedrooms, bathroom, study and store. The proposal has three pitched roof dormers on the eastern side and a single dormer on the western side. To provide additional light into the bedroom a window is proposed to the front at first floor level. The dormers, if approved, will be conditioned to be obscure glazed.

With regard to residential amenity the neighbouring property to the west 'Ferncroft' which is a bungalow has an entrance door and three windows, two of which are obscure glazed on the side elevation fronting Cornfields. Due to the position of these windows the front extension will be set back from these windows and will be partly obscured by the pitched roof garage of Ferncroft which is sited to the boundary. The property to the east Crosswinds is of the same style and design. This property has a lobby which is sited on the western side boundary and two roof lights on the western roof slope. The proposed dormers on this side elevation may have the potential for overlooking onto the rear amenity area of Crosswinds especially the one positioned to the rear. If approved, a condition will be imposed that these be obscure glazed and also the dormer on the western side which serves a study will also be conditioned to be obscure glazed.

The extension and dormers are considered to be visually subservient to the host dwelling, would not be obtrusive in the street scene, nor would they harm the established character and appearance of the surrounding residential area.

It is therefore recommended to approve the application, subject to conditions.

HUMAN RIGHTS ACT

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: Site 1:1250, Block 1:500 Drg No 1230.05 Rev A, Proposed Ground & First Floor, Roof Drg No 1230.04 Rev D, Proposed Elevations Drg No 1230.03 Rev E received on 29th October 2012.

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 materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The three dormer windows on the east side elevation and single dormer on the west side elevation 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.

- 5 **INFORMATIVE:** A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel: 01962 858688), or www.southernwater.co.uk.

- 6 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 7 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.