

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

REF NO: F/6/18/HH

LOCATION: Southfields
Burndell Road
Yapton
BN18 0HR

PROPOSAL: Demolition of existing garage; single storey rear/ side extension & new pitched roof over existing front porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to the demolish the existing garage and replace it with a wrap-around rear-to-side extension.
SITE AREA	Approx. 733sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by 1.8m close-boarded fencing.
SITE CHARACTERISTICS	The site is popoulated by a bungalow with a large front garden.
CHARACTER OF LOCALITY	The area is populated by a mix of housing styles and types.

RELEVANT SITE HISTORY

PAA/173/17/	Erection of timber garage to front driveway erected on concrete base.	Refuse Pre App 27-10-17
F/22/14/HH	Single storey side extension	ApproveConditionally 03-02-15

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No response.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Engineers - Apply ENGD2A.

Southern Water - Southern Water requires a formal application for any new connection to the foul sewer to be made by the applicant or developer. An informative as to how this can be done will be applied.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

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

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Ford Parish does not have a 'made' neighbourhood development plan, although, this plan as exceeded Regulation 14 (and is currently awaiting the Inspectors report). Therefore, it is awarded limited weight, it is considered that policy H1 is relevant to this development.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in GEN2 of the Arun District Council Local Plan, and SD SP2 of the Emerging Local Plan. In this case, the key policies are deemed to be GEN7 and DEV19 of the Arun District Council Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

As a result of the siting of the proposed development, there are very few available views of the development from the street scene. Additionally, the spatial pattern of the locality is already varied and irregular due to existing extensions of adjacent properties. The proposed front porch alteration is considered to harmonise with the character of the locality, especially with relation to the similar development at Hazeldene. Therefore, the proposal has no significant impact on the existing character of the area or established spatial pattern, in accordance with GEN7(ii) and DEV19(v) of the Arun District Council Local Plan.

Due to the eaves height of the proposed extension exceeding the eaves height of the bungalow by 0.9m, the proposal is not considered to appear subservient to the host dwelling. However, as a result of the matching materials, and modest design, the proposal is considered to appear sympathetic and well integrated with the host dwelling. As a result the proposal is considered to be in accordance with DEV19(i) of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development replaces a similarly sized garage, as the maximum height of the roof only increases by 40cm. Therefore, the proposed development is not considered to have caused any significant impact on overshadowing or appear overbearing at the adjacent properties. Additionally, there are no windows proposed on the Western elevation of the extension, and all views available from the extension are ground floor, and therefore no different to those available from the garden, if there were no extension.

Consequently, the proposal is considered to be acceptable in terms of neighbouring residential amenity and in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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:

- Single storey rear & side extension - PT/P/01 - 05/03/18

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 of the development 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 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. 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.

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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. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Due to changes in legislation that came in to 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, the 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.

Due to surface water inundation issues in the Lidsey Catchment The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development.

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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.