

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

REF NO: M/136/17/HH

LOCATION: 14 West Drive
Elmer
PO22 7TS

PROPOSAL: Demolition of existing garage & erection of front, side & rear single storey extensions & two 1st floor dormer projections.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The proposal comprises a side and rear wrap around single storey extension, front extension and roof terrace, removal of existing side gable roof addition and provision of a flat roof dormer on each side roofslope and removal of chimney. The proposed side part of the extension measures approximately 2.5m wide, 8.6m long and 2.6m high on flat roof and 3.6m high on dummy pitch at the front. The rear part measures approximately 6m deep, 9.2m wide and 2.6m high. The two dormer windows measure approximately 7.1m long, 2m deep and 2m high. The front extension measures approximately 6.6m wide, 1.5m deep and 2.8m high with a roof terrace above and 1.1 high balustrade. Materials would be render to match and cedar cement cladding colour dark grey (code C.15). Roofs would be felt on flat roof and tiles to match on the dummy pitch.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To front it is open to the road with timber fencing on the side approximately 1.8m high. To rear, timber fencing approximately 1.8m high.
SITE CHARACTERISTICS	A detached chalet bungalow with smooth rendered elevations on the lower half and timber weatherboard cladding above. The roof is pitched with tiles. There is an attached garage to

side (north) and a dormer in the side (south) roofslope. A wooden balcony at first floor level is situated to front.

CHARACTER OF LOCALITY

Residential in character, the surrounding area forms a private estate with two storey detached properties and detached bungalows. There is a general lack of uniformity in property styles and varying roof heights.

RELEVANT SITE HISTORY

M/65/13/

Extensions and alterations

ApproveConditionally
06-11-13

Planning permission granted for erecting two dormers in each side elevation of the property, a single storey rear extension and a front extension infilling an area underneath an existing first floor wooden balcony in 2013.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Middleton Parish Council have no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

The Council's drainage engineers initially requested a planning condition to cover the surface water drainage, however, they have confirmed that there is no objection subject to the proviso that the surface water drainage is constructed in accordance with the submitted drainage plans and details.

Southern Water recommend an informative on any planning permission

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in conditions and informatives

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICESArun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
DEV19	Extensions to existing residential buildings

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
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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. There is currently a six week period of consultation on modifications to the plan which is due to end in mid-February.

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).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with relevant Development Plan policies in that it would not be subservient to the main property. .

OTHER MATERIAL CONSIDERATIONS

It is considered that, in this case, there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. The previous planning permission provided comparable sized roof and rear extensions, the proposed side extension partly involves the replacement of the existing garage and the side and rear extensions are not readily visible from the street. As such it is considered that the proposed development 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.

CONCLUSIONS

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 Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

This application seeks approval for two dormers to be installed in each side roofslope, a single storey extension to the rear, side and front, to infill an area underneath the existing first floor balcony. Planning permission was previously granted for comparable extensions to the property albeit with different design, the previous extensions had pitched roofs and also retained the existing gabled side dormer addition and chimney.

The proposed dormers are set down from the ridge height of the roof and are appropriately positioned within the roof slope set above eaves and also set in from the side margins. Due to an absence of design uniformity for surrounding properties including varying roof heights, it is considered that the dormers can be accommodated within the street scene without any loss of character. Whilst the previous scheme had hipped roof dormers and were smaller i.e. 2 on each roofslope it is not considered that the current large flat roof design is sufficiently harmful to merit refusal. It has also been noted that an existing

dormer is already set in the southern roofslope of the property facing Number 16 West Drive and so the principle of such development has already been established. The previous planning permission also accepted new dormers in both roofslopes. The proposed dormer material consisting of dark grey cedar cladding is acceptable.

The rear extension is single storey in height and due to its location will not be visible from the road. It has a flat roof and extends beyond the side elevation of the house to form the wrap around appearance with the side extension. The side extension would run the length of the side of the property and extend beyond the rear elevation to join with the rear part of the extension. A dummy pitch is proposed at the front facing the road. The side extension would be set in approximately 0.9m from the side boundary with No.12. From the front the side extension on its own appears subservient to the main house. The rear extension is deep at 6m and, when viewed from the side and rear, does not appear subservient to the main house, however, the previously approved scheme was of similar depth and these extensions would not be seen from the street and as such are not harmful to merit refusal of permission. The use of matching render will also ensure integration with the host property.

The front extension will infill an area currently underneath a first floor wooden balcony albeit it will be replaced with a more contemporary roof terrace and balustrade. It is small in scale and will have matching rendered elevations so as to be acceptable in design terms. The dormers, rear and front extensions when considered as a whole would not fully comply with policies GEN7 and DEV19 as they are not subservient to the main property. However, given the previous approval and the matters referred to above it is considered that, on balance, these material considerations are sufficient to consider the proposed development as not harmful to the character and appearance of the wider area or host property.

The proposed side dormers are considered to not cause any harm to neighbouring properties, particularly due to an absence of roofslope windows in the neighbouring facing roofslope of Number 12 West Drive and a single obscured glazed window at first floor level at Number 16 West Drive. The proposed dormers are also considered to be appropriately sized for their respective roofslopes so as to not cause any unacceptable residential effects such as overshadowing, overbearing, overlooking or loss of privacy. Also, an existing side dormer in the southern roofslope facing Number 16 West Drive means that the dormers can be accommodated without causing any adverse impact. The previous permission also allowed windows in similar position to the proposed scheme.

The current scheme includes a proposed side extension which maintains an adequate distance between the proposed dormers and the neighbouring property of Number 12 to the west.

The rear extension which is single storey in height retains acceptable separation distances to neighbouring boundaries and has a flat roof to reduce its bulk. The windows and doors in its elevations will not cause any harm due to the boundary treatment of close boarded fencing and hedging over 1.5m in height. The rear extension will not infringe a 45 degree line off the neighbouring windows and as such will not lead to a loss of outlook. Likewise the side extension given its height and given the existing side garage is not considered harmful to the outlook of No.12.

The front extension under an existing balcony has no windows to the side. The front extension will not infringe a 45 degree line off the neighbouring windows and as such will not lead to a loss of outlook. The proposed roof terrace replaces an existing balcony and as such is not more harmful than the existing situation with regard to privacy of adjoining occupiers.

Therefore, the proposal is considered to not cause any harmful residential effects and although not fully compliant with policies in the adopted Arun Local Plan is not considered to give rise to issues that would merit refusal of planning permission.

It is therefore recommended that the application be approved, subject to the following 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 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 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 sheet 1 of 3 location plan, block plan and proposed ground floor plan, sheet 2 of 3 proposed elevations and first floor plan, sheet 3 of 3 existing elevations, floorplans, roof plan and proposed roof plan, 1780/D1.1 surface water drainage plan, 1780/D5.1 construction details for rear soakaway and silt trap & soakaway calculations.

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 building, except the areas detailed on the approved plans to provide dark grey cedar cladding, 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 Surface water drainage shall be constructed in accordance with approved plans, 1780/D1.1 surface water drainage plan, 1780/D5.1 construction details for rear soakaway and silt trap & soakaway calculations, dated 8 February 2018.

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.

- 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: 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. It should be noted that Southern Water is currently consulting on the New connections charging process as directed by Ofwat. Please refer to Southern Water's website <https://www.southernwater.co.uk/new-connections-charging-consultation> for further details

- 7 INFORMATIVE: 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.