

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

REF NO: M/13/18/HH

LOCATION: 24 West Drive
Elmer
PO22 7TS

PROPOSAL: Single storey front & side extensions, conversion of garage to part of dwelling & first floor balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed front extension measures approximately 2.4m deep, 10.8m wide and 3.1m high. The proposed side extension measures approximately 2.9m wide. 3.7m long and 3.1m high. The garage conversion involves removal of the garage door and replacement with a window. The proposal also includes a balcony to the front which is accessed by a change to the front dormer window to provide a door. The proposed glass balustrade is 1.1m high. Materials would be render and tile to match and weatherboarding.
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	The property has a mixture of mature planting/hedges and walls to the front and side of the property.
SITE CHARACTERISTICS	The application site comprises a detached chalet bungalow constructed render beneath a tile roof. The property has an attached garage and also a conservatory to the front and a large dormer window in the front roof slope. The property has a large plot with a large front garden and very short rear garden. The application site is located off a narrow single track lane leading to the beach.
CHARACTER OF LOCALITY	Residential comprising properties of varying design and size. The road leads to the beach.

RELEVANT SITE HISTORY

There is no relevant planning history

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

The Parish Council have No Objection on the basis that a condition imposed to ensure the building which is the subject of the alterations and extensions if approved is used solely by the occupiers of 24 West Drive and is not used as a separate unit of accommodation or to be let out in anyway.

On representation received supporting the proposal as follows:

It will create a more efficient interior environment for the householder;

It will correct residual issues relating to a 1920's building;

It will improve the exterior aesthetics of the building which stands on a fine site, by the sea, on a private estate - to the benefit of visitors and the local community.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and addressed in the conclusions below.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Council's Drainage and Coastal Engineer request a condition re surface water.

Southern Water request informatives to any permission

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and conditions and informatives imposed on the permission.

POLICY CONTEXT

Designation applicable to site:

Built Up Area

DEVELOPMENT PLAN POLICES

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

GEN2 Built-up Area Boundary

GEN7 The Form of New Development
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

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. A consultation into the proposed modifications ended in mid February 2018.

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).

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 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 situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed front extension would replace the existing conservatory and would be the full width of the front elevation of the house and join with the garage conversion. The extension would be 0.85m from the side boundary to the south. The side extension infills a gap to the rear of the existing garage and would broadly aligns with the rear elevation of the main house. It would be sited adjacent to the northern side boundary. The proposed balcony is a small area accessed by a new door in the dormer window. Finally, there is no extension to the garage and the only visual change is the replacement of the garage door with a window.

The proposed extensions retain a large part of the garden area to the front and rear and would be approximately 35m from the front boundary. Given the depth, width and height the extensions, balcony and window changes appear subservient to the main property.

Materials for the walls of both extensions complement match the existing house. As such the proposed extensions are not considered to be harmful to the character and appearance of the host property or the wider area.

There are no windows proposed in the side elevations of the extensions with the main windows facing onto the front garden, to the rear there is only a toilet window therefore it is not considered that the proposed extensions are harmful to the privacy of the occupiers of the adjoining properties. The proposed balcony would overlook the property to the south but this appears to the access road to a block of flats with a reasonable separation distance to the property itself. As such not harmful it is considered that given the separation distances to the boundaries and the height of the extensions the proposal will not be unduly dominant upon or lead to a loss of outlook to the occupiers of the adjoining properties

There are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and

would not have an adverse impact on the visual or residential amenity. The proposed development therefore complies with adopted policies in the Arun Local Plan.

The proposed development is therefore recommended for approval 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 Drawing 1, Drawing 2 & Drawing 3.

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 of the extensions 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 balcony element hereby approved shall not be bought in to use until the 1.8m obscure glazed screen has been erected. The screen shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reasons: In the interests of the amenity of the neighbouring dwelling in accordance with policies GEN7 and DEV19 of the Arun Local Plan 2003.

- 5 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.

- 6 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.

- 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. 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>

- 8 INFORMATIVE: 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.

- 9 INFORMATIVE: The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed

surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

1. Specify the responsibilities of each party for the implementation of the SUDS scheme
 2. Specify a timetable for implementation
 3. Provide a management and maintenance plan for the lifetime of the development.
- This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

- 10 **INFORMATIVE:** The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

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

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

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

- 11 **INFORMATIVE:** Furthermore, 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.