

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

REF NO: M/48/18/HH

LOCATION: 41 Ancton Way
Elmer
PO22 6JP

PROPOSAL: Removal of existing conservatory and erection of side and rear single storey extension plus extension to existing side dormer projection.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed flat roof rear extension will wrap round the rear of the dwelling and behind the original garage which has been converted to a bedroom. It will project 5 metres from the original rear wall of the bungalow along the west boundary, replacing the 4m deep conservatory, and will add 7.5 metres to the existing footprint on the east boundary. It will be 2.8 metres high with 2 projecting light wells. The existing dormer with a sloping roof on the east elevation will be replaced with a flat roof dormer, raising it by a metre to 2.4 metres at the edge but bringing it down to below the ridge line where it joins the roof
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a 1.8 m close boarded fence on the west boundary of the rear garden with an evergreen hedge projecting above in and a 1.8 close boarded fence on the east boundary with intermittent shrub screening.
SITE CHARACTERISTICS	The application property is a chalet bungalow on the south side of Ancton Way which presents gable end on to the road. There is a flat roof extension to the east which was originally a garage and has been converted to a bedroom. The two first floor bedrooms are lit by windows in the north and south gables and there is a dormer with a shallow pitched roof on the east elevation and a roof light on the western roof slope. There is a fully glazed conservatory at the rear which is 4 metres deep and 3.5 m high at the ridge.
CHARACTER OF LOCALITY	This is a quiet residential area of predominantly chalet bungalows of different designs presenting a gable end to the street interspersed with two storey dwellings. The front gardens are open plan.

RELEVANT SITE HISTORY

Noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council
no objection

COMMENTS ON REPRESENTATIONS RECEIVED:

noted

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Please apply standard condition ENGD2A relating to soakaways and SUDS.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and condition added.

POLICY CONTEXT

Within the built up area boundary.

DEVELOPMENT PLAN POLICES

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

DEV19	Extensions to existing residential buildings
GEN9	Foul and Surface Water Drainage
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
W DM3	Sustainable Urban Drainage Systems
SD SP2	Built -Up Area Boundary

PLANNING POLICY 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).

Middleton has not made a Neighbourhood Development Plan.

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 rear extension will not be visible from the road as it lies behind the existing flat roof extension on the east side of the bungalow. The dormer alteration will not significantly affect the appearance of the property. In view of the orientation of the property, the modest height of the roof and the hedge and shrubs on the boundary there will be a minimal impact on light and outlook of the neighbouring properties and there are no new windows proposed which would affect the privacy of neighbouring occupiers. A condition is proposed to ensure effective discharge of surface water. As such the proposal complies with policies GEN7, GEN and GEN 9 of the Arun District Local Plan and policies D M1, D M4 and WDM3 of the emerging Arun Local Plan 2011-2013.

HUMAN RIGHTS ACT

FOR 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 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:

Location plan, block plan and proposed ground floor (1 of 3)

Proposed first floor plan and elevations (2 of 3)

Existing floor plans and elevations (3 of 3)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the existing dwelling.

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, GEN9 and 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.