

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

REF NO: M/49/15/HH

LOCATION: 24 Southdean Drive
Middleton-on-Sea

PROPOSAL: Conversion of existing integral garage into habitable space to include single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This proposal seeks planning permission to convert the existing integral garage of this dwelling into living accommodation. The works would also extend the ground floor of the dwelling forward by 1.35m to be in line with the front of an existing bay element on the front elevation and underneath an existing balcony across the front elevation. There would be a limited flat roofed element to the side of the front balcony and in front of where the garage is at present. The flat roofed element would have an upper fascia element which would have a shiplap appearance and this would continue across the front of the dwelling as extended.

SITE AREA

The site area is approximately 0.05 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a medium density residential one.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front of the dwelling has a low wall and is otherwise open across a drive/drop kerb area for 3 cars. Side boundaries are a mixture of panel fencing.

SITE CHARACTERISTICS

The site is occupied by a two-storey dwelling with an integral garage beneath a catslide roof on the north side. There is a balcony across the width of the front of the main dwelling and the dwelling is white rendered/painted with small plain brown roof tiles. There are 3 car parking spaces to the front of the dwelling.

CHARACTER OF LOCALITY

The locality is residential and is one of mixed

house types and designs.

RELEVANT SITE HISTORY

M/108/90	Single storey living room extension. Pitch roof and rendered exterior to match existing building	ApproveConditionally 03-12-1990
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None.

REPRESENTATIONS

Representations received:

Middleton Parish Council

Middleton Parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water raises no objection subject to sewer connection.

This Council Engineer has not objected, has requested a condition relating to drainage and has commented on surface water drainage.

Comments on Consultation responses:

An informative has been added regarding Southern Water sewer connection comments.

Given the very limited extent of the extension, it is likely to rely on existing drainage arrangements and not to give rise to any significant increase in surface water discharge. As a drainage condition is not considered to be necessary or reasonable/proportionate. Informatives have been added regarding surface water drainage.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
 GEN7
 DEV19

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

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to

Existing Buildings (residential and non-residential)

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
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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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

There is no Made Plan for Middleton-on-Sea.

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 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 the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1 and D DM4 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling. The proposal is not dissimilar to the appearance of the existing dwelling and provides a continuity of appearance across the front of the dwelling and it is considered to be acceptable visually. There is considered to be no detriment to the street scene or to the appearance of the existing dwelling.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension has no side windows and does not give rise to privacy loss in this sense. There is no impact on light and it is not unduly dominant to outlook.

PARKING

The proposal results in the loss of the garage as a car space and therefore parking at the site reduces from a total of 4 spaces to 3 car parking spaces on the site frontage. This is in accord with Council policy and requirements for a dwelling of this size at 4 bedrooms. There can therefore be no objection to the loss of the garage.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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 drawings:

Proposed Ground Floor plan 01 - Dated 30.04.2015
North Elevation 01 - Dated 30.04.2015
East Elevation 01 - Dated 30.04.2015
Proposed Roof Plan 01 - Dated 30.04.2015

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 dwelling.

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

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed

in the north side elevation of the development hereby permitted which adjoins the side boundary with no.22 Southdean Drive without the prior permission of the Local Planning Authority on an application in that behalf.

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:** Southern Water has advised that due to changes in legislation that came into force on 1st October 2001 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public might cross the site or be close to it/affected by development potentially. 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 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)

- 6 **INFORMATIVE:** The Council's Drainage Engineer has advised that infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also enclosed for information.

- 7 **INFORMATIVE:** The Council's Drainage Engineer has further advised:

Supplementary Requirements for Surface Water Drainage Proposals

Any proposed surface water scheme must consider sustainable drainage principles.

SuDS Selection

The following destinations must be considered for surface runoff in order of preference:

1. Discharge into the ground (infiltration);
2. Controlled discharge to a surface water body;
3. Controlled discharge to a surface water sewer.

Surface water must not be discharged into the foul sewer system. Infiltration structures include soakaways, basins, swales and permeable paving. Discharge to surface water bodies and surface water sewers must be restricted to an agreed rate.

SuDS selection hierarchy based on:

CIRIA C697 - The SuDS Manual

BS8582:2013 - Code of Practice for Surface Water Management for Development Sites

Approved Document H of the Building Regulations

Infiltration Drainage Design

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method, and cater for the 1 in 10 year storm event between the invert of the lowest entry pipe into the infiltration structure and the base. For the purpose of design, the percolation rate must be applied to the sides of the infiltration structure only and the rate for the base must be zero. This does not apply to infiltration basins or permeable pavements, whereby the percolation rate is applied to the base only. There must be provision to ensure that there is capacity in the system to contain the 1 in 100 year storm event plus 30% on stored volumes, as an allowance for climate change. The infiltration structure should also drain 50% of its total volume in 24 hours or less for both the 1 in 10 and 1 in 100 year (plus 30%) storm events, in order to provide spare capacity for subsequent storms.

Any infiltration drainage design must include adequate winter groundwater monitoring data to determine the highest winter groundwater table. Residential developments in excess of five properties will require ground water monitoring to be carried out between October and March inclusive. The extent of monitoring required for smaller developments will be subject to agreement with the Council's Engineers.

Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded groundwater level identified in that location.

Restricted Discharge

Discharge to a watercourse or surface water sewer must be restricted to the estimated mean

greenfield runoff rate (Q_{bar}) by means of a controlled outflow (or restricted to existing runoff

rates for brownfield sites). This can be derived from IH124 or a similar approved method. Any storage design must be submitted with groundwater monitoring data where applicable to ensure there will be no detrimental effect on the structure or storage. Storage areas are preferred to be in an 'open' form such as ponds, rather than underground tanks.

Flow Exceedance Routes

The drainage design should show flow routes through the proposed development, demonstrating where surface water will be conveyed for three types of flow:

1. Low flow routes

Regular flow from source control features such as permeable pavements should travel in low flow channels through the development in a controlled way contributing to landscape quality.

2. Overflows

In the event of local blockages or surcharge a simple overflow arrangement should allow water to bypass the obstruction and return to the management train sequence until

conditions return to normal.

3. Exceedance routes

When SuDS are overwhelmed by exceptional rainfall, then exceedance routes are required to protect people and property. These provide unobstructed overland flow routes from the development and should be considered for all drainage schemes. Exceedance routes should also be protected from future changes in land use.

- 8 **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.