

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

REF NO: M/52/15/HH

LOCATION: 3 Manor Way
Elmer

PROPOSAL: Single storey front extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 347 metres squared.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site consists of a 1 metre high block wall with the eastern boundary of the site featuring a 2.5 metre high hedge and close boarded fencing.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow with rendered walls and a slate roof.
CHARACTER OF LOCALITY	The character of the locality is residential and features properties of various designs and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Middleton Parish Council

No Objection.

Elmer Sand Limited:-

Providing there will be no issues with lack of space for parking we have no objection to this application.

Comments on Representations received:

comments from the Parish Council noted. The proposed front extension will have no impact upon the existing parking provision at the site.

CONSULTATIONS

Southern Water Planning
Engineers (Fluvial Flooding)
Engineering Services Manager

Consultations responses received:

Southern Water:-

Southern Water requires a formal application for any new connection to the foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following information is attached to the consent:

"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".

Our initial investigation 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 impact of development".

Developer should look to protect public sewerage systems from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Engineers (Fluvial Flooding):-

New roof areas should be drained. Infiltration should be investigated.

Please apply standard conditions ENGD2A.

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 BRE365, 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.

Comments on Consultation responses:

Comments noted. Informative from Southern Water included. However, condition ENGD2A is not necessary as drainage matters are dealt with at building control submission stage.

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

Within Built Area Boundary

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
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

MDS

Middleton-on-Sea Village Design Statement by
Middleton PC

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.

Middleton-on-sea are not in the process of preparing a Neighbourhood Plan and as such there are no relevant policies to the determination of this application.

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 situated within the built-up area boundary where the principle of development is

acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case are policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application seeks permission for the construction of a single storey front extension. The proposal will extend 1.35 metres forward of the existing elevation and have a maximum ridge height of 4.1 metres. The proposal will be 1 metre below the existing ridge height of the host dwelling and as such appears subservient to the host dwelling.

The proposal will also be well integrated in both design and the materials used for its construction. Therefore, the proposed extension is considered to be in accordance with DEV19 (i) and (ii) of the Arun District Local Plan.

The proposed extension being located forward of the primary elevation has the potential to adversely impact upon the street scene. However, due to the size of the extension and its distance from the highway it is considered not to cause any unacceptable harm to the established spatial character of the area in accordance with GEN7 (ii) and DEV19 (iv).

RESIDENTIAL AMENITY

The proposal due to its size, scale and position forward of the primary elevation is not considered to cause unacceptable overlooking, overbearing or overshadowing impacts upon any adjoining property. Therefore, the proposal is considered to be in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

Given the above it is recommended that planning permission is granted for the proposed development subject to the below 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 for 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 no impacts have been identified upon any 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:- Proposed Plan, Location and Block Plans - Sheet 1 of 3; and Proposed Elevations - Sheet 2 of 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 roof of the extension 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 **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

- 5 **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.

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- 6 **INFORMATIVE:** 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 impact of development".

The developer should look to protect public sewerage systems from inundation and infiltration, which contribute to flooding in unfavourable conditions.

- 7 **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.