

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

REF NO: M/99/17/HH

LOCATION: 4 Arundel Way
Elmer
Middleton

PROPOSAL: Removal of existing rear & side extensions including external staircase access to 1st floor and erection of new rear & side extensions under new pitched roof with side dormer projections.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposed development increases the ridge height of the main house from approximately 5.5m to 6.5m. The proposed dormer extensions are approximately 10.5m long, 3m high and 2.5m deep.

The proposed rear extension is 6m deep (max), 9m wide and 4.1m high (max).

The proposed materials are render and Marley cedar cement weatherboarding (colour blue grey) walls. The roof would be slates and felt.

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 front is open plan and the rear has timber fencing, mature planting and also a block wall.

SITE CHARACTERISTICS

Detached chalet bungalow constructed from brick and render with a tile roof. The property has a dormer roof extension on one side roof slope. The property has an attached single storey garage. There is also an outdoor staircase and deck area leading to a first floor door.

CHARACTER OF LOCALITY

Predominantly residential characterised by detached dwellings of varying design. Dormer roof extensions feature heavily along the road frontage.

RELEVANT SITE HISTORY

M/9/75

Loft conversion

ApproveConditionally

06-08-1975

No relevant planning history.

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)

Consultations responses received:

Council's Drainage Engineer recommends a condition to any permission.

Southern Water recommends informatives on any permission.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

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
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice 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 taken 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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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 PC does not have a neighbourhood plan in operation.

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 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 side extension would level the existing south side of the property, including replacing the existing garage from the front elevation of the house to the extended rear. The proposed extension would be sited approximately 1.1m from the boundary with No.2 and 6.5m from front boundary. The proposed ground floor rear extension would cover the width of the existing rear elevation. The proposed extensions retain a large part of the garden area and would be approximately 29m from the rear boundary.

The proposed roof alterations significantly alter the shape of the building. However, change is not necessarily harmful. There is an increase in ridge height of the property by approximately 1m and together with 2 large dormer additions the bulk of the building is increased. It is noted that the proposed development involves a mix of hipped roof and gable roof, although the design does appear satisfactory. The dormer extension would be visible from the road. Therefore, the extensions and alterations as a whole alter the design, scale and bulk of the original property. However, a number of properties closeby have been extended and altered at roof level, therefore, an increase in height and bulk is not considered inappropriate in its streetscene context. Furthermore, national guidance in the NPPF states "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." As such whilst the style of the resultant property is different and is not subordinate to the original house and the proposed dormer extensions do accentuate the bulk it is not considered, on balance, that its scale, bulk and detail is out of character or harmful with the wider area which has a mix of styles and sizes.

The materials proposed are considered acceptable and complement the host property and surrounding area.

Therefore, whilst there are significant changes to the existing property the proposed extensions and alterations are not considered to be harmful to the character and appearance of the host property or the wider area.

At first floor level there is a window facing the road and also one facing the rear garden. It is not considered that either of these windows will lead to a loss of privacy to adjoining occupiers or the properties to the rear of the application site.

The proposed north elevation has a dormer extension with three windows, two for en suite bathrooms and one for a bedroom, facing the property to the north. The en suite would be obscure glazed but the bedroom would provide views onto the side of the neighbouring property which does not have first floor windows. Given the distance to the proposed development it is not considered that the application will be unduly dominant on the occupiers of adjoining properties.

The proposed dormer extension in the south roof slope has four windows, three to bedrooms and one for the landing area. It is noted that this dormer extension replaces the existing dormer but the current proposal will be nearer to No.2. There is the potential for overlooking to the garden and possible side dormer at No.2. However, the windows are secondary windows and there other windows to the bedrooms which would provide outlook. It is therefore, considered that a condition to ensure the windows with the exception of the small fanlight be fixed would be acceptable to address the issue. In addition, a condition should be imposed to restrict any future openings. It is noted that the proposed development will removed the rear staircase and as such any overlooking that exists from this structure.

Therefore, it is considered that the proposed development will not lead to an unacceptable impact upon the amenity of adjoining occupiers.

There are no parking implications arising from the proposed development.

In summary, on balance the proposed development is not considered to be visually obtrusive or prominent to merit refusal of planning permission and also it would not have an adverse impact on the visual or residential amenity. The proposed development complies with adopted planning policy in the Arun Local Plan 2003. As such 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 sheet 1 of 3, sheet 2 of 3 & sheet 3 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 windows in the dormer roof extensions on the south elevation of the building and the two first floor windows situated on the northern elevation (serving the en-suite and bathroom) shall at all times be glazed with obscured glass and fixed to be permanently non-opening except for the high level fan lights which can be openable as shown on the approved plans.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in the south and north elevation of the extension hereby permitted which adjoins the side boundary with No.2 and No.4 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 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: Drainage Engineers advise 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 available on request.
- 8 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".
- 9 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".