

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

REF NO: M/9/19/HH

LOCATION: Fidra
Yapton Road
Middleton-On-Sea
PO22 6DX

PROPOSAL: Two storey rear extension, porch to front and conversion of roof space with two front dormers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a two storey rear extension, front porch, and convert the roof space by way of two front dormers.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Parish Council - No objection.

1 letter of objection from occupier of neighbouring dwelling:

- The new windows on the extension overlook our house and garden.
- The development would cause loss of privacy to occupiers of first floor bedrooms.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The objectors property is 85m, which is sufficient distance to prevent any unacceptable overlooking or overbearing impact.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

The Council's Drainage Engineers -
Infiltration must be investigated.

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 40% 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 and our surface water drainage submissions checklist are also enclosed for information.

Southern Water - Request an informative.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The proposed front dormers are visible within the street scene, however, they are considered to be an improvement to the appearance of host dwelling. They are considered to be sympathetic in design and well integrated with the host dwelling. Their maximum height is 0.15m lower than the maximum ridge height of the host dwelling, and they are sited more than 1m from the Northern and Southern ends of the

roof . Therefore, the proposed front dormers are considered to be in accordance with D DM1(2), D DM4(a) and (b) of the Arun Local Plan.

The proposed rear extension is not visible from the street scene as a result of its siting, and significant foliage in the front garden of the host dwelling. As a result of this, whilst its significant scale is noted, the proposal is not considered to have any significant impact upon the character of the area, or the host dwelling. Additionally, the proposal is considered to not appear out of keeping with the general design of the area, as the extension does not extend significantly further beyond the existing two storey line in the locality, because whilst the proposal is 6m at ground floor level, it is only 4m at first floor level. The proposed development is not considered to have an unacceptable impact on the character of the host dwelling, and it therefore in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly detrimental overshadowing or overbearing impact upon occupiers of nearby dwellings. The proposed development is sited a distance of 1.5m from the neighbour to the North, and extends 4m to the East at first floor level, with a rear barn-hipped roof. These factors are considered to allow to the proposed development to have no significantly harmful unneighbourly appearance within the area, or to occupiers of neighbouring dwellings. Whilst it is noted that the proposed development features windows, the majority of these windows are not considered to result in views that result in any significant loss of privacy to occupiers of neighbouring dwellings. However, as a result of the layout of the property to the South, there is potential for direct overlooking from the window on this aspect into the neighbouring dwelling, and therefore it will be conditioned to be obscure glazed and non-opening below 1.7m. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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:

- Floor & Roof Plans - 1904031/PL/3A - 3rd March 2019
- Elevations - 1904031/PL/1A - 3rd March 2019
- Elevations - 1904031/PL/2A - 3rd March 2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

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

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 4 The windows on the Southern elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening, below 1.7m, in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 5 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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 W SP1, W DM1, W DM2 and W DM3 of the Arun 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:**

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>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

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".

- 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.