

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

REF NO: **WA/64/12/**

LOCATION: Sunny Corner
 Copse Lane
 Walberton

PROPOSAL: Construction of two storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The side extension measures approximately 5.3m in width, depth of 7.9m with a maximum height of 8.7m. The front dormer measures approximately 2.8m in width, 2.8m in depth and 2.8m in height. The rear dormer measures approximately 4m in width, depth of 3m with a maximum height of 3m.
SITE AREA	Approximately 540 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has wooden entrance gates, wooded area at rear, tree screening/hedging to all sides.
SITE CHARACTERISTICS	Detached two storey property with front and rear dormers. Property has previously been extended with a swimming pool on the western side, conservatory on rear. Double garage in front garden with gravel driveway, various outbuildings within site. The property has rendered walls painted white, tile hanging on dormers with a brown tiled roof and white window frames.
CHARACTER OF LOCALITY	Rural area with a mixture of detached properties, bungalows, chalet style and two storey of various styles and designs.

RELEVANT SITE HISTORY

WA/60/99/	Proposed extension to house, alterations, conservatory and new garage with snooker room	Approve Conditionally 23-09-1999
WA/68/00/	Proposed extensions to house, alterations and new garage with snooker room.	Approve Conditionally 06-02-2001

WA/59/04/	Erection of timber framed and clad building adjoining existing house - to house a jacuzzi and seating area with wooden decked floor.	Approve Conditionally 27-08-2004
WA/4/06/	Erection of timbered building to cover a swimming pool.	Approve Conditionally 13-03-2006
WA/68/07/	Conservatory off back of kitchen	Approve Conditionally 18-09-2007
WA/94/10/	Construction of extension to enlarge entertaining lounge	Approve Conditionally 30-11-2010
WA/25/67	Proposed additions	Approve Conditionally 31-05-1967
WA/27/71	Double garage	Approve Conditionally 30-06-1971

REPRESENTATIONS

Representations received:

Walberton Parish Council
Awaited.

Comments on Representations received:

None.

CONSULTATIONS

Engineering Services Manager
Engineers (Fluvial Flooding)
Southern Water Planning

Consultations responses received:

Engineers

No details are given for the proposed method for disposing of surface water from the extension. Details will be required for approval which must not be disposal to the foul sewer.

Southern Water

If the application receives planning approval we request that an informative be attached to any consent regarding any new connection to the public sewerage system.

Comments on Consultation responses:

Engineers comments noted

If approved, a condition will be imposed regarding details to be submitted for disposing of surface water from the extension.

Southern Water comments noted

If approved, an informative will be placed on any consent.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary
No Public Sewer
Area of Special Control for Advertisements
Drainage Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 rural 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 property which has previously been extended is sited on a large plot and is set well back from Copse Lane and surrounded by trees and hedging.

The application seeks to construct a two storey extension on the eastern side of the dwelling which will enlarge the existing kitchen with a studio/home office at first floor level. The proposed extension has been designed with similar detailing to the existing building and will use matching materials with a pitched roof dormer to the front in the same style as the existing front roof dormers. To the rear is a larger dormer with patio doors that lead out onto a raised balcony with stairway. The extension which forms a continuous roof line is approximately 5.3m in width, depth of 7.9m with a height of 8.7m.

With regard to residential amenity there is a wooded area to the rear of the site and the two dwellings to the east are sited approximately 12m away. The site is well screened by hedging and trees so it is not considered that the proposal would create loss of outlook and the proposed windows at first floor level on the eastern side would not create any additional overlooking than currently exists from the first floor windows.

The proposal is considered to be visually subservient to the main dwelling. The property being set back from Copse Lane is not readily visible in the street scene, nor does it harm the character and appearance of the surrounding rural area.

It is therefore recommended that the application be approved, subject to 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 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 a neutral impact has 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 plans: Site 1;1250, Block 1:500, Proposed Floor Drg No 08/13/05 Rev B, Proposed Elevations Drg Nos 8/13/13, 8/13/14 Proposed Roof Plan Drg No 8/13/12 received on 26th November 2012..

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, roof and dormer windows 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 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.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, GEN9, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 6 Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.