

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** Y/101/14/HH**LOCATION:** Kingsdene
Yapton Road
Barnham**PROPOSAL:** Single storey side extension, two storey front extension & new bay window
(resubmission following Y/49/14/HH)**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 485 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Approximately 1.5 - 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling which has red brick elevation walls with tile hanging above ground floor window heads and a section of stained timber weatherboarding to the front. There is a detached garage building to the front of the property.
CHARACTER OF LOCALITY	The site is located on a Class B road and is outside of the built-up area boundary. There is an informal arrangement of detached dwellings lining the road to the south east. To the north there is a band of trees and hedgerow with and behind that there is a group of commercial/agricultural buildings.

RELEVANT SITE HISTORY

Y/16/87	New kitchen, bathroom and toilet	ApproveConditionally 21-04-1987
Y/11/06/	Proposed alterations and single storey extension to form dining room at rear	ApproveConditionally 31-03-2006
Y/49/14/HH	Extensions and alterations	ApproveConditionally

15-07-2014

This application seeks to build on the previous approval Ref Y/49/14/HH by adding fenestration changes, a ground floor bay window and a revised porch design.

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

ADC Drainage Engineers - Comment that: "Infiltration must be investigated for surface water disposal from additional roof area. 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. 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."

Southern Water - Comment that: "A formal application is required for any new connection to the public foul sewer to be made by the applicant or developer."

Comments on Consultation responses:

Comments noted. Drainage Engineers has requested a planning condition but this was not attached to the previous consent and it is considered to be onerous to apply such a condition to a householder application where drainage issues are considered at the Building Regulations stage.

POLICY CONTEXT

Designation applicable to site: Outside the Built-Up Area Boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN3](#)
[GEN7](#)
[DEV19](#)

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

[Yapton neighbourhood plan 2014 Policy BB1](#)

Protection of the Countryside
The Form of New Development
Extensions to existing residential buildings
C SP1 Countryside
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
Built-up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton. There are not considered to be any policies of relevance in the Yapton Neighbourhood Plan.

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 outside of the built-up area but this is an established residential dwelling which is part of a group of buildings that line the road. In such countryside locations, extensions and alterations to residential buildings are only permitted where they comply with Local Plan policies DEV19 and GEN7.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a single storey side extension, two storey front extension and bay window to the front of the property. It forms a resubmission of previously approved application Y/49/14/HH and principally differs by the addition of the front ground floor bay window, a revised porch design and some other fenestration changes. It is not considered that the alterations to the scheme are such that the arguments made in respect of application Y/49/14/HH no longer apply. The bay window will add projection to the front elevation but this is only a minor change and the bay window will still be behind the line of the relocated garage.

RESIDENTIAL AMENITY

It is not considered that the alterations will have any impact on the neighbouring property to the south (Privett).

SUMMARY

It is therefore recommended that the application is 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

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.

No mitigation measures are therefore required.

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:-

1:1250 Location Plan;
Site Plan REV - D;
Existing Ground Floor Plan;
Existing First Floor Plan;
Existing Elevations;
Proposed Ground Floor Plan REV - K;
Proposed First Floor Plan REV - D;
Proposed Elevations REV - G;
Existing & Proposed Roof Plan REV - A;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: 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.
- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern

Y/101/14/HH

House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or
www.southernwater.co.uk.