

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** Y/112/14/HH**LOCATION:** 68 Loveys Road
Yapton**PROPOSAL:** First floor side extension.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed first floor extension measures approximately 2.8m in width, depth of 7m with a maximum height of 7.85m.
SITE AREA	Approximately 270 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has brick wall with fencing approximately 1m-1.5m in height, side boundary to Canal Road fencing approximately 1.8m in height, rear has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Two storey semi-detached property with front porch, attached single storey garage. The property has reddish/brown brickwork with a tiled roof and white window frames.
CHARACTER OF LOCALITY	Residential comprising a mixture of two storey terraced, semi-detached and flats.

RELEVANT SITE HISTORY

Y/58/90	Alterations and garage extension	ApproveConditionally 03-09-1990
Y/88/90	Amended plan showing proposed flat roof on previously approved extension	ApproveConditionally 28-01-1991
Y/59/98/	Proposed conservatory	ApproveConditionally 11-12-1998
Y/12/83	Two storey extension demolition of existing shed and new access to Loveys Road	ApproveConditionally 20-04-1983

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

Engineers comments in respect to surface water drainage:

A SuDS system (Sustainable Drainage System) must be investigated for surface water disposal, ie. soakage structures.

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 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 enclosed for information.

Southern Water

No objection to the proposal.

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 impacts of development".

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

Comments on Consultation responses:

Engineers comments noted

As the proposal is for a first floor addition and will be sited above the existing footprint of the garage it has been agreed with the Engineers that condition ENGD2A is not required.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

PD Restriction on Y/12/83

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [DEV19](#)
[GEN2](#)
[GEN7](#)
[GEN9](#)

Publication Version of the Local
Plan (October 2014):

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
Foul and Surface Water Drainage

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
Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy BB1

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).

The Yapton Neighbourhood Development Plan has been made and in this instance it is considered that policy BB1 applies.

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 semi-detached two property is sited on the corner of Loveys Road and Canal Road and the application seeks for a first floor extension above the existing garage.

The proposed first floor addition will be the same width as the existing garage, same depth as the host dwelling with the roof height being no higher than the existing. It will comprise en-suite bathrooms and a dressing room with windows to the front, rear and an obscure glazed window on the west side elevation which serves one of the bathrooms. The extension will be constructed in matching brickwork and tiles. It is considered that the extension is visually subservient to the host dwelling.

With regard to residential amenity the neighbouring property to the rear No 23 Canal Road is sited approximately 6m away and on the south side elevation facing the proposal there is a window at first floor level. The proposal has a window at first floor level which serves the bathroom and, if approved, a condition will be imposed that this be obscure glazed. It is not considered that the extension would create a loss of outlook to the occupiers to recommend refusal.

The proposal is not considered to have a detrimental impact upon the character and appearance of the street scene or have an adverse impact on the residential amenities of the occupiers of the neighbouring properties.

It is therefore recommended to approve the application, subject to 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 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 received on the 29th January 2015.

Site 1:1250.

Block 1:500.

Existing Ground Floor/Proposed Front & Side Elevations Drg No C767-3 dt Dec 2014.

Proposed First Floor/Rear Elevation and Roof Drg No C767-2 dt Dec 2014.

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 first floor extension hereby permitted shall match in colour and texture those of the host dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The bathroom windows on the rear and side elevation of the first floor extension shall at all times be glazed with obscured glass.

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

- 5 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.