

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

REF NO: Y/11/26/HH

LOCATION: 30 Tack Lee Road
Yapton
BN18 0HB

PROPOSAL: Part single, part two-storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Yapton Parish Council - No response received.

No representations were received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Drainage Engineers - Objection raised in relation to runoff destination and extreme rainfall and flooding.

Comments noted.

POLICY CONTEXT

Within an area with potentially high groundwater levels.
Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

[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)
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site comprises a semi-detached two-storey dwelling located at 30 Tack Lee Road, Yapton.

The proposal seeks planning permission for the erection of a single storey rear extension together with a first floor rear extension, replacing the existing cat slide roof, extending over the proposed single storey rear extension.

The proposed single storey rear extension would project approximately 3.7m in depth at its narrowest point, extending to approximately 5.4m at its deepest along the western side boundary. It would span the full width of the dwelling, measuring approximately 8.4m. The extension would feature a flat roof form with a maximum height of approximately 3m. The external materials would consist of matching brickwork to the host dwelling, ensuring ensuring the development integrates visually with the host dwelling, in accordance with Arun Local Plan (ALP) policy D DM4.

The proposed fenestration would include a window within the rear (north) elevation and large patio doors providing access to the private amenity space. A further ground floor window is proposed within the eastern flank elevation.

While the single storey rear extension would not be fully subservient to the host dwelling, which is contrary to the guidance set out within the Arun Design Guide (ADG), it would remain proportionate to the scale of the original dwelling. The depth of the extension would exceed the 3.3m recommended within the ADG for single storey rear extensions. However, given the siting of the extension to the rear, and the resultant garden depth, the departure from ADG would be acceptable. The extension would not be visible from the public realm and would not appear visually intrusive or result in harm to the character of the surrounding area. It is also noted that the single storey rear extension would be very similar to the existing single storey rear extension to the adjoining neighbour to the west. As such, the proposed single storey rear extension is acceptable in this regard.

The proposed first floor rear extension would measure approximately 6.5m in width and 1.7m in depth, forming a partial two-storey projection above the rear extension. It would incorporate a flat roof design with a maximum height of approximately 5.5m. External materials would match the existing dwelling, ensuring visual integration in line with the ADG. The fenestration would include a new window, consistent in style with the existing dwelling.

The first floor extension would not appear subservient to the host dwelling and, by virtue of its bulk and flat roof design, would not fully reflect the character of the original dwelling, contrary to guidance within the ADG. Notwithstanding this, the extension would be located to the rear and would not be visible within the street scene. Furthermore, similar first floor projections are present within the surrounding area, including flat roofed dormer windows within the catslide roofs to the rear of other properties within the vicinity. As such, the proposal would not result in demonstrable harm to the visual amenity of the host dwelling or wider area.

Overall, the proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with ALP policies D DM1 and D DM4.

RESIDENTIAL AMENITY

The single storey extension would be set in approximately 0.15m from the western side boundary and 3.5m from the eastern side boundary. It would extend in line with the existing rear projection of the neighbouring dwelling to the west. Given the limited height and single storey form of the extension, it would not result any undue overbearing impacts or loss of light to neighbouring occupiers to either the east or west.

The first floor rear extension would not alter the existing separation distances between the application property and neighbouring dwellings, retaining a flank to flank distance of approximately 5m to the eastern neighbour and 2m to the western side boundary. When assessed against a 45 degree splay line taken from the centre point of the neighbour's rear elevation windows, the two storey extension would not intrude this line. Given the retained spacing together with the limited depth and compliance with the 45 degree test, the additional massing introduced at first floor level would not result in an overbearing impact or unacceptable levels of overshadowing to the neighbouring properties.

The proposed rear fenestration at both ground floor and first floor levels would be in a similar position to the existing openings, with views towards the private rear garden. Accordingly, the development would not result in any material increase in overlooking or loss of privacy. Furthermore, the proposal would retain approximately 23m of rear garden depth, which significantly exceeds the ADG recommendation of 10.5m. It is also noted that there are no neighbouring properties located directly to the north.

The proposed window within the eastern side elevation would provide a similar outlook to the existing opening in this elevation. Given its ground floor position and the adequate separation distance to the eastern neighbouring property, it would not result in any additional overlooking or loss of privacy.

The proposal would retain the existing first-floor window within the eastern side elevation, however, due to internal changes it would serve a bedroom rather than bathroom. Whilst it is acknowledged that the window could potentially be replaced with an openable and clear-glazed unit as a result of these changes, this would not give rise to unacceptable harm. There is no evidence of a historic planning condition requiring the window to be obscure-glazed, and it would provide only limited and oblique views towards the neighbouring garden. In addition, the neighbouring dwelling is set back from this elevation and the neighbouring window within the roof slope is recessed. As such, when taken together with the separation distances, there would be no undue overlooking or loss of privacy. In these circumstances, it would not be reasonable or necessary to impose a condition requiring the window to remain obscure-glazed, particularly as its position and orientation would remain unchanged.

Overall, the proposed development would not result in harm to neighbouring amenity, in accordance with ALP policies D DM1 and D DM4.

DRAINAGE

The application site lies within Lidsey Wastewater Treatment Catchment Area, where the management of surface water drainage is a consideration in reducing flood risk in the locality.

The proposed extension would be partially built over an existing area of hardstanding, currently occupied by an outbuilding. As such, the development would result in only a marginal increase of impermeable surface and therefore would not materially increase the risk of surface water flooding either within the site or in the surrounding area.

It is also noted that an extension of a similar scale could be constructed under permitted development. As there are no planning conditions in place removing these rights, this fallback position is a material consideration and carries significant weight in the assessment. A development of comparable scale could therefore be implemented without the need for planning permission, resulting in a similar level of impact in drainage terms. Furthermore, similar extensions have been constructed within the immediate

vicinity, due to the fall back position created by permitted development.

It is noted that the Council's Drainage Engineers have raised an objection to the proposal. However, given the limited increase in impermeable area, together with the fallback position of an extension of a similar footprint could be constructed under permitted development, the proposal would not materially increase the chances of flooding elsewhere in the district. The proposal is therefore in accordance with ALP policies W DM1 and W DM3.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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:

- Block Plan
- Location Plan
- Proposed First Floor Plan
- Proposed Elevations
- Proposed Ground Floor Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.