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

REF NO: Y/19/24/HH

LOCATION: 37 Cherry Avenue
Yapton
BN18 0LB

PROPOSAL: **Single storey front and rear extension, part garage conversion and external alterations.**

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks the construction of a single storey front extension and a single storey rear extension.

The internal alterations proposed do not require planning permission. However, the impacts of the alteration upon parking provision is considered within this report.

REPRESENTATIONS

Yapton Parish Council - Objection.
- Off road should be retained and not reduced
- Pitch roof of front extension out of keeping for the area where there are predominantly flat roof front extensions

No public representations received.

Officer Response
- Concerns regarding design and parking provision are dealt with within the conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers - no objection, subject to conditions.

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)
DSP1	D SP1 Design
WSP1	W SP1 Water

Yapton Neighbourhood Development Plan 2011-2031 Policy H4 — Quality and Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan, and guidance set out in Part M of the Arun Design Guide (ADG).

Yapton has a 'made' Neighbourhood Plan of which Policy H4 is relevant and relates to the quality and design of new developments.

DESIGN & VISUAL AMENITY

The site is a detached two storey property which is a part of a row of houses on the western side of Cherry Avenue. The houses are contained within a small close to the side of Cherry Avenue and are set back behind by an area of greenspace with some established trees.

The proposal seeks to extend the footprint of the property at the front and rear by way of single storey extensions.

The front extension would measure 2.4m wide x 2.8m deep and would infill the western corner of the front elevation. The extension would have a dual pitched roof which would span across approximately half of the front elevation, including the front entrance, creating a central covered porch. ADG states front extensions should not project forward of the predominant building line and that they should generally be no deeper than 1.5m and not be the full width of the building. On this occasion, whilst the porch is not in full accordance with this guidance the 2.8m projection would not disrupt the established building line of the surrounding area. Additionally, external materials would match the existing building helping to visually integrate the bulk as best as possible. As highlighted by Yapton Parish Council, the surrounding area predominantly features flat topped porches and canopies, and the proposed pitched roof would differ from this. This difference is acknowledged but it is not found to have any demonstrable harm to the pattern or rhythm of the street as the front extension is well integrated with the existing building and the gable roof reflects the main roof structure. The scale and design of the front extension are acceptable.

The rear extension would not be visible within the street scene and would therefore have no visual impact upon the character of the area. It is a small-scale addition to the plot which be visually subservient to the existing building. On this occasion, whilst the rear garden depth would not fully accord with ADG this would be acceptable as a rear extension of this size could likely be constructed under permitted development rights.

The proposal is in accordance with D DM1 and D DM4 of the Arun Local Plan, H4 of the Yapton Neighbourhood Plan and mostly in accordance with Part M of ADG.

RESIDENTIAL AMENITY

Part M of the Arun Design Guide states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and responding to existing elevations through the size and positioning of doors and windows. Extensions should respect the 45-degree rule to prevent adverse impacts upon residential amenity.

The host dwelling has detached neighbours to the east and west, the property of most concern in relation to the proposal is 35 Cherry Avenue as both extensions would be sited 1m from the shared boundary.

The rear extension projects 2.3m from the rear elevation and would have a flat roof approximately 2.8m high. The extension would not intersect a 45-degree line when taken from the closest ground floor window in the rear elevation of 35 Cherry Avenue and therefore any overbearing or overshadowing effects would not result in adverse harm.

The front extension projects 2.8m from the front elevation and would have a pitched roof with an eaves height of 2.4m and a ridge height of 3.5m. The extension would marginally conflict with the 45-degree rule however, this conflict would not result in adverse harm in this particular situation. The roof pitches away from the shared boundary which minimises its presence and the front elevations of both properties benefit from a south facing aspect meaning any overshadowing effects would be for a short period of time in the early part of the day. The overbearing and overshadowing effects would not be so severe to warrant refusal.

The proposed fenestrations in the front and rear elevations of the two extensions are at ground level and would not provide new or harmful views that would be overlooking of neighbouring properties.

The proposal will not result in adverse harm upon neighbouring amenity and is in accordance with D DM1 and D DM4 of the Arun Local Plan.

SURFACE WATER DRAINAGE

The site falls in the Lidsey Wastewater Treatment Works Catchment Area. ADC drainage engineers were consulted and recommended a pre-commencement condition be applied should the application be recommended for approval.

As the increase in impermeable surface area of the development is similar to what could be achieved under permitted development rights no further information regarding drainage is required, such as a surface water drainage scheme. The applicant is however directed towards the informative attached to the decision notice which outlines how development in this area should be approached.

The application is in accord with policy W SP1 of the Arun Local Plan.

PARKING

The occupier density of the property is not increasing and the original size of the garage would not count as a parking space. The part conversion of the garage to a habitable room is therefore acceptable as the property would retain adequate off-road parking for at least 2 cars.

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 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

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:

- Proposed Plans and Elevations 3119/01/02
- Proposed Ground Floor Plan 3119/01/03
- Block Plan 3119/01/04
- Location 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 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 INFORMATIVE: Whilst conditions have not been applied to the application the applicant should consider and read the full guidance on the Arun District Council website regarding surface water drainage - https://www.arun.gov.uk/drainage-planning-consultations.

5 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.