

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

REF NO: Y/19/26/HH

LOCATION: 7 Gladstone Road
Yapton
West Sussex
BN18 OJP

PROPOSAL: Single storey rear extension to replace existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Yapton Parish Council - No response received.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers - Objection.

1.Runoff destination

1.1.Similar to the existing conservatory, which the extension will replace, it is proposed that surface water be drained to the existing soakaway. We support discharging into the ground in principle; infiltration is the highest priority in the drainage hierarchy and aligns with Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS). However, insufficient evidence has been provided to demonstrate that infiltration is a viable solution.

1.2.The applicant has not provided sufficient evidence of the details or condition of the existing soakaway, nor demonstrated that, if one exists, it has the capacity to satisfactorily drain surface water in accordance with current standards. This includes the need to satisfy the requirements of item 1.4 in respect to achieving the one metre of unsaturated ground.

1.3.It is the responsibility of the applicant or their drainage designer to provide this evidence. Without it, we are unable to assess whether the proposed development would increase flood risk. Without this information at this stage, it cannot be ensured that the proposed layout and scale of development are feasible.

1.4.To support an infiltration-based design, winter groundwater monitoring must be undertaken to confirm that a minimum of one metre of unsaturated ground can be maintained between the base of the soakaway or infiltration structure and the peak groundwater level. Ground conditions and infiltration potential in Yapton are highly variable. While infiltration may be feasible in some areas, others

experience high groundwater levels or poor infiltration rates that render it unviable. This must be robustly demonstrated by the applicant.

1.5.As stated above, surface water from the site must be managed in accordance with the drainage hierarchy (Standard 1 of the NSfS). If infiltration is found to be unviable, then alternative sustainable means of draining the site are summarised as follows:

- Water reuse - not proposed but will not provide a full design solution and can be secured via condition.
- Infiltration -not investigated, it is currently uncertain if the existing drainage arrangement infiltrates to ground.
- To a watercourse - none available.
- To a surface water sewer - none available, not investigated or proposed.
- To a highway drainage system - available, however, there is no right to connect, and proposed connections of surface water are strongly resisted.
- To a combined sewer - none available.

1.6.It is essential that each discharge destination is considered in strict priority order, with higher priority options fully explored and demonstrably exhausted before progressing to lower priority alternatives. Robust evidence must be provided to discount a higher priority destination.

1.7.There are public highway drains in Gladstone Road and Mill View Road. These are controlled by West Sussex County Council and permission to connect would be required from them (but permission often resisted).

1.8. No evidence or permission has been provided to confirm whether discharge to these highway drainage systems would be permitted, or whether the drains have sufficient hydraulic capacity. The applicant has not provided any further information on how they may drain the site if infiltration is later found to be unviable or whether the connection to the highway drainage system can be achieved. For this reason, we object to the proposal. The submission of such evidence may also affect the scale and layout of the development.

1.9.The application site is in the Lidsey Wastewater Treatment Catchment Area. This catchment is the subject of a surface water management plan due in part to the recognised history of foul sewer flooding.

3.Extreme rainfall and flooding

3.1.Part of the area where the extension is proposed, along with the northern boundary of the site, lies within a 0.1% AEP (low-risk) surface water flooding extent for the present day. When climate change is taken into account, a greater proportion of the site falls within this flood risk extent. This may impact the surface water drainage design.

3.2.At present, no modelling or supporting evidence; such as ground investigations or drainage plans have been submitted for engineering assessment. In the absence this evidence, we cannot assess if flood risk will be increased by the surface water drainage of the proposed development. Therefore, this application does not accord with the NPPF as set out above and we object on this basis.

POLICY CONTEXT

Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

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DDM4	D DM4 Extensions and 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:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site includes a semi detached, two storey dwelling. The proposal is for a single storey rear extension to replace the existing conservatory.

The extension would have a width of 5.6m, extending 0.6m further than the existing conservatory, constructed to the rear elevation, to the north. The extension would be have a depth of 3.4m, 0.4m greater than the existing conservatory. Whilst this would, albeit marginally, exceed Arun Design Guide advice for rear extensions which advises a maximum depth of 3.3m, given the existing built form and policy compliant rear garden depth of 24.5m, the proposal would not result in harm to design or visual amenity in this regard.

At 3.2m in height, the proposed extension would be equal in hight to the ridge of the existing conservatory. However, the introduction of a flat roof as opposed to the existing pitch roof of the conservatory would result in a bulkier, more imposing form. The flat roof would include a roof lantern, as well as sliding doors with a width of 4m, responding well to the open, spacious character that the conservatory contributes towards.

Flat roofs, with roof lanterns and roof lights, are very common along Gladstone Road, utilised for both extensions and garages; the proposal would be in keeping with the existing architectural form in the locality. In terms of materials, the brickwork, aluminium doors and white UPVC windows would be of no detriment to design and visual amenity and would integrate well with the host dwelling.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Single storey in nature and replacing an existing conservatory, the extension would offer the same views of the rear garden as currently available, resulting in no impact to neighbouring amenity in regard to overlooking.

Set in by 2.8m from the northern boundary and extending only 0.7m beyond the rear extension at 5 Gladstone Road, the proposal would not result in any overbearing or overshadowing impacts to this neighbour. Similarly, the extension would be screened from the majority of the southern neighbour, 9 Gladstone Road, by the existing garage, resulting in no impact in terms of overbearing or overshadowing impacts.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

LIDSEY TREATMENT CATCHMENT AREA

The site is located within a Local Lidsey Flood Risk Area. As such, the Council's Drainage Engineers have been consulted on the proposed development.

The drainage engineers have objected on the grounds that no surface water runoff location has been provided, as required by Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS). They also objected on the grounds that flood risk may be increased elsewhere, owing to a small pockets of potential surface water flooding.

An extension of a similar footprint to that proposed in this application could be constructed under permitted development. Further to this, the extension is relatively modest in scale, replaces existing built form, extends over existing hard surfacing, and retains large areas of permeable surfaces at the rear of the site. As such, it would not be reasonable to refuse this application on drainage grounds, given the existing site circumstances and ability to construct an extension of a similar footprint under permitted development.

The proposal is therefore in accordance with Arun Local Plan policies W DM1 and W DM3.

SUMMARY

The proposal is in accordance with relevant development plan policies and is therefore recommended for approval

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:
 - Location Plan
 - Block Plan
 - Proposed Ground Floor Plan
 - Proposed Roof Plan
 - Proposed North Elevation
 - Proposed West Elevation
 - Proposed South Elevation
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 NPPF.