

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

REF NO: Y/22/12/

LOCATION: 35 Briar Close
Church Road
Yapton

PROPOSAL: Erection of single storey flat roof extension to rear of property to provide family room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey rear extension measures approximately 3.5m in width, depth of 4.2m and a maximum height of 2.8m.
SITE AREA	Approximately 308 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear has hedging/tree screening over 3m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with single storey flat roof extension on western side, garage on western side with gravel driveway. Wooden shed in rear garden with raised decking area. The property has light brown brickwork, red tile hanging on front gable with concrete tiled roof.
CHARACTER OF LOCALITY	Residential cul-de-sac with detached bungalows of similar style and design.

RELEVANT SITE HISTORY

Y/5/77	Lounge extension	Approve Conditionally 10-03-1977
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REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning
Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water

Southern Water's current sewerage records do not show any public sewers to be crossing the above site. However, due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Any new connections will require a formal application for a connection to the public sewer. We request that an informative is attached to any consent.

Engineers

No objection on drainage grounds. If approved, an informative to be placed on any consent. As there is no surface water sewer or watercourse near by the applicant must dispose of roof water via soakaway and follow the guidance set out in Document H of the Building Regulations. Infiltration rates for soakaway structures are to be based on percolation tests undertaken in the wetter winter period and at the location and depth of the proposed structures. The percolation tests and design must be carried out in accordance with BRE365, 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. Ground water tables in this area are shallow often less than 1 metre below ground level so the design must not be below this depth in order to conform with the guidelines set out in Document H.

Comments on Consultation responses:

Southern Water comments noted

If approved, an informative will be placed on any consent regarding connection to a public sewer.

Engineers comments noted

If approved, an informative will be placed on any consent regarding connection to a soakaway.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Class B Road
PDR - Open Plan Condition

The Emerging Arun District Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)

Built-up Area Boundary
The Form of New Development

[GEN9](#)
[DEV19](#)

Foul and Surface Water Drainage
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 detached bungalow is sited at the far end of a residential cul-de-sac and it has a garage that is sited on the western side. The application seeks to construct a single storey extension that will be sited on the rear of the dwelling.

The property has previously been extended with a single storey flat roof addition which is currently used as a dining room and the proposed extension will be sited to the rear of this structure. The extension will be the same height as the existing structure 2.7m with a width of 3.5m and a depth of 4.2m. The extension is of an acceptable size and height that is visually subservient to the main dwelling.

With regard to residential amenity the neighbouring property to the west No 37 is sited approximately 11m away from the proposal. Due to the orientation of this property and the absence of windows on the west side elevation of the extension it is not considered that the proposal would detrimentally harm the occupiers by way of overbearing affect and loss of outlook.

To the rear of the site is the main Yapton Road but due to dense hedging/tree screening it is not considered that the extension would be readily visible in the street scene, nor would it harm the established character and appearance of the surrounding residential area.

It is therefore recommended that the application be approved, subject to conditions.

HUMAN RIGHTS ACT

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 (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: Site 1:1250/Block 1:500, Proposed Floor/Elevations Drg No 02 received on 12th June 2012.

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 **INFORMATIVE:** Engineers comments: As there is no surface water or watercourse near by the applicant must dispose of roof water via soakaway and follow the guidance set out in Document H of the Building Regulations. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the wetter winter period and at the location and depth of the proposed structures. The percolation tests and design must be carried out in accordance with BRE365, 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. Ground water tables in this area are shallow often less than 1 metre below ground level so the design must not be below this depth in order to conform

with the guidelines set out in Document H.

- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Limited, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel: 01962 858688) or www.southernwater.co.uk.
- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, GEN9

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.