

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

REF NO: Y/22/15/HH

LOCATION: Longacre
Maypole Lane
Yapton

PROPOSAL: Demolition of existing outbuilding & construction of 3 bay garage block with home office above.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed garage/home office building measures approximately 10.370m in width, depth of 6.8m with a maximum height of 6m.
SITE AREA	Approximately 0.26 hectare.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Raised bank to front of site with hedging over 1.8m in height with wooden entrance gates, north side boundary has dense hedging over 3m in height, rear and south side boundary a mixture of trees, hedging and chicken wire fencing.
SITE CHARACTERISTICS	Detached property set within a substantial site. The property has previously been extended with front dormers and a conservatory on the rear. Detached outbuildings in rear garden on north side (to be demolished) the subject of this application. The property has rendered walls painted white, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Rural location with Maypole Public House and garden to north of site. There is open farmland to the east, west and south of the site.

RELEVANT SITE HISTORY

Y/33/97	Demolition of garage and erection of extension	ApproveConditionally 08-07-1997
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Y/64/08/	Two storey extension to side elevation, 2 storey extension to rear elevation and internal alterations to form elderly relative annexe.	ApproveConditionally 10-11-2008
Y/39/10/NMA	Application for a non-material amendment following a grant of planning permission Y/64/08/ for an additional porch to the south elevation, a new dormer to the west elevation & various minor alterations to the internal layout	Approve 29-06-2010
PAA/131/14/	The proposal is for 3 holiday accommodation units consisting of: 2no 4bed bungalows and 1no 2bed cottage.	Refuse Pre App 19-11-2014
Y/15/55	Bungalow	Approve 07-12-1955
Y/25/71	Extension to existing bungalow	Approve 21-07-1971
Y/9/77	Proposed bedrooms and toilet in roof extensions for sun lounge and utility room	ApproveConditionally 30-03-1977
Y/33/84	Demolition of existing garage and erection of new	ApproveConditionally 06-06-1984

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

If approved, could the following conditions be included in the decision.

Suggest frosted glazing on the window facing the Maypole Public House or alternatively locate the window in the roof directly over staircase providing better daylight illumination.

The building should not be sold separately from the main house.

Licensed Contractor to be appointed to dismantle and remove asbestos from site in accordance with H & SE guidelines.

Comments on Representations received:

Parish Council comments noted

The proposed window on the north side elevation serves a stairwell and as it is not a habitable room it is not considered that there would be adverse overlooking to the adjacent premises. If approved, a condition will be imposed that the outbuilding be used as an ancillary building and not a separate unit of accommodation.

The demolition of the existing outbuildings and removal of asbestos is not a material planning consideration.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer.

We request that should this application receive planning approval an informative is attached to the consent regarding connection to the public sewerage system.

The Council's Building Control officers/technical staff and the environment agency should be consulted regarding the discharge condition for surface water disposal.

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.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119 or www.southernwater.co.uk).

Engineers

Engineers comments in respect to surface water drainage:

Surface water should be discharged to soakaways or similar for all new roof area.

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.

Comments on Consultation responses:

Southern Water Comments noted

If approved, an informative will be placed on any approval regarding connection to the public sewerage system.

Engineers comments noted

If approved, a condition will be imposed regarding surface water drainage.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Area of Special Control for Advertisements

Drainage Area
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>DEV19</u> <u>GEN3</u> <u>GEN7</u> <u>GEN9</u>	Extensions to existing residential buildings Protection of the Countryside The Form of New Development Foul and Surface Water Drainage
Publication Version of the Local Plan (October 2014):		C SP1 Countryside D DM1 Aspects of Form and Design Quality D SP1 Design
Yapton neighbourhood plan 2014 Policy BB1		Built-up Area Boundary

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).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kingston, Littlehampton, Rustington and Yapton.

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 site which is of a substantial size is located outside the built up area boundary in open countryside where development must be sensitively designed to protect the visual amenities of the countryside.

The application seeks to remove the two wooden outbuildings that are sited in the rear garden and erect a 3 bay garage with home office above. The proposed outbuilding will be sited in the same location as the outbuildings being set back from the front boundary by approximately 24m. The proposed outbuilding has two dormers on the front and two dormers on the rear. On the side elevations there are two windows, one serves the stairwell and the other a kitchen. The outbuilding will be clad with green oak feather edge cladding and this in time will weather naturally. The outbuilding is of a substantial size but the site can accommodate a structure of this size.

The site is surrounded by open farmland to the east, west and south. To the north of the site is the Maypole Inn which has a seating area on the south side. The northern side boundary has dense hedging over 3m in height and whilst the roof line may be visible above this hedging. The proposal has a window on the side north east elevation which serves the stairwell so it is not considered that this would create any adverse overlooking or loss of outlook.

Whilst the building is of a substantial size it is considered that the site can accommodate a structure of this size. If approved, a condition will be imposed that the building be used for purposes incidental to the enjoyment of Longacre and not to be used as a separate unit of accommodation.

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 4th March 2015.

Location/Block/Floor/Elevations/Photos of existing buildings to be demolished
Drg No PL-01 Rev A dt Feb 2015.

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, dormers and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building..

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in

accordance with policy GEN7 of the Arun District Local Plan.

- 4 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Longacre, Maypole Lane as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 5 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 6 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

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