

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

REF NO: Y/27/18/HH

LOCATION: Feildings  
Hoe Lane  
Flansham  
PO22 8NW

PROPOSAL: Partial demolition of existing garage structure & replace with two storey side extension.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The extension will have a modern design with a monopitch roof. It will be between 6 and 7.23m high, 7.2m deep. It will provide a new entrance hall, utility/plant room, master bedroom with wardrobe room & en-suite and upstairs snug. It will also retain a double garage downstairs. Materials to be part brick to match, part zinc cladding and a single ply membrane flat roof

**RELEVANT SITE HISTORY**

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Yapton Parish Council

YPC object for the following reasons:

- Impact of the design on the historic streetscape and historic & unique setting of Flansham; and
- The Yapton Neighbourhood Development Plan supports the designation of Flansham as a Conservation Area or an Area of Special Character; and
- Contrary to Arun Local Plan policy HER SP1 and paragraphs 17, 58, 60, 61 & 64 of the NPPF.

These objections will be analysed in the report conclusions.

**CONSULTATIONS**

Southern Water Planning  
Engineering Services Manager  
Engineers (Drainage)

**CONSULTATION RESPONSES RECEIVED:**

SOUTHERN WATER - Request that any unrecorded sewers be protected. Also ask that an informative about new sewer connections be added.

ADC DRAINAGE ENGINEERS - Please apply standard condition ENGD2A. Soakaways must be investigated for surface water disposal.

## POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;  
Area of Advert Special Control;  
Lidsey Treatment Catchment Area; and  
Archaeological Notification Area.

## DEVELOPMENT PLAN POLICES

|        |                                                         |
|--------|---------------------------------------------------------|
| CSP1   | C SP1 Countryside                                       |
| 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                                            |
| HERSP1 | HER SP1 The Historic Environment                        |
| WDM3   | W DM3 Sustainable Urban Drainage Systems                |

[Yapton neighbourhood plan 2014 Policy BB1](#)

Yapton neighbourhood plan 2014 Policy E9

Built-up Area Boundary

Listed Buildings and Buildings or Structures of Character

## PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

## CONCLUSIONS

### THE SITE:

The application concerns an existing grand two storey detached house with detached pitched roof double garage to one side. The property has extensive front & rear gardens with hedged boundaries. The house is set back between 22 and 29m from the highway. Plenty of off-street parking. No trees affected. The site is located within a historic rural hamlet. The closest residential property which could be affected is 40m away to the west

### RESPONSE TO CONSULTATIONS:

The requested surface water drainage condition is considered to be necessary in view of the location of the site within the Lidsey Treatment Catchment Area (an area at risk of foul water pollution due to surface water entering the sewers). It is also necessary to ensure the protection of any unrecorded foul sewers which may or may not cross the site.

### PRINCIPLE:

The site is located outside of the built-up area boundary as set out within both the Yapton Neighbourhood Development Plan (YNDP) and the Arun District Local Plan 2011-2031 (ADLP). YNDP policy BB1 seeks to restrict new development in the countryside and does not include householder development within the list of exceptions to this. However, policy C SP1 of the ADLP does state that development will be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. ADLP policy D DM4 refers to extensions & alterations to existing buildings. In the event of conflict between development plans, the more recent plan takes precedence (the ADLP). Therefore, subject to compliance with D DM4 and other policies of the ADLP, the proposal will be acceptable in principle.

## CHARACTER, DESIGN & AMENITY

The site is located within a small settlement which has a rural and historic character to it with only a few more modern buildings. However, the area is neither designated as a Conservation Area or as An Area of Special Character. Furthermore, there are no Listed or Locally Listed Buildings closer than 50m to the extent of the proposed extension.

Policy E9 of the YNDP does not apply as there will not be any loss of a locally listed building. In addition, policy HER SP1 of the ADLP is not relevant as it only provides protection to Conservation Areas, Listed Buildings, Locally Listed Buildings and Areas of Special Character (and the settings of such). The site does not benefit from any of these designations and is considered to be too far away to form part of the setting of a nearby historic building.

ADLP policy D DM1 states that development should "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features." Also that it should "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area."

Policy D DM4 relates specifically to extensions and lists certain criteria to be adhered to. It is accepted that the modern design will be a contrast to the existing traditional building form. However, it is not considered in this case that this will result in any harm to local character as a result of the distance back from the streetscene and therefore the limited visibility of the extension in the streetscene. Furthermore, the extension is a subservient addition and will not result in any harm to any nearby residential properties. It is therefore considered that the proposal complies with the criteria in D DM4.

The NPPF has recently been updated and the paragraphs as quoted by the Parish Council are no longer current. Paragraphs 124-132 now cover design whilst paragraphs 184-202, the historic environment. The NPPF is a material consideration in this determination but it is not considered that it indicates that the application should be determined differently to the Development Plan.

## SUMMARY:

It is accepted that this is a modern design and this is different in approach to the surrounding rural/historic aesthetic. However, the property (and the extension) is well set back from the road and therefore has only a limited impact on the streetscene. Furthermore, the extension is not considered to affect any designated or undesignated heritage assets and there is no harm to any neighbouring properties. The application is therefore recommended for approval.

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.

#### **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:

S-01 Site Plan & Location Plan;  
S-02 Block Plan;  
SK-01 "Floor Plans As Proposed;  
SK-02 "Elevations as Proposed" and  
SK-03 Section and Colour Elevation.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun District Local Plan 2011-31.

- 3 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 and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM2 and W DM3 of the Arun District Council Local Plan 2011-31. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 The development shall be finished in the materials as specified in the application form, the Design & Access Statement and Drawing SK03.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun District Local Plan 2011-31.

- 5 Should any sewer be found during construction works then all development activities within 5m of the external edge of the sewer shall cease and they shall not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted to and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to an existing foul sewer in accordance with policy W DM1 of the Arun District Council Local Plan 2011-2031.

- 6 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.
- 7 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](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 8 INFORMATIVE: Drainage Engineers advise that 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. Supplementary guidance notes are also

available on request.