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

REF NO: **Y/34/17/HH**

LOCATION: Forge Cottage
Church Road
Yapton

PROPOSAL: The demolition of an existing single storey extension, garage and store. Proposed 2 storey side extension with a single storey rear extension, new terrace area and replacement car port with associated external works. This application affects the character and appearance of the Main Road/Church Road Yapton Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposed two storey, 5.3m wide side extension built to the same height and depth as the existing dwelling. Single storey, flat roofed (with raised lantern) rear extension. New 3.2m high timber car port structure projecting forward of the front. The area behind the car port and between the two storey side extension and the neighbours timber outbuilding will then be used as a terrace. The accommodation adds a new en-suite bedroom upstairs with replacement kitchen & utility space downstairs.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2m high close boarded fencing to Jonathan Cottage (west), 2.4m high close boarded fencing to the southern boundary with the Old Post Office (but part of this boundary is with part off the same building), 2.2m high wall to West Down Lodge (east). Also to the east is the Old Post Office with the boundary being directly onto a timber outbuilding. To the front there is a 1m high wall.
SITE CHARACTERISTICS	Two storey detached cottage dwelling with front porch. Single storey, flat/felt roofed side extension in part timber & part render including a garage with a timber car port structure to the

	front. The car port structure projects forward of the dwelling. The walls are white painted smooth render with light green window frames and a slate roof. Access to the property is past Jonathan Cottage. Two off street parking spaces in addition to the garage.
CHARACTER OF LOCALITY	Within the Conservation Area. Residential comprising a mixture of detached, semi-detached and terraced propeties of various styles and designs, some of notable character. Affected neighbouring properties as follows: * The Old Post Office - some first floor windows and 2nd floor velux roof lights overlooking the site; and * The Old Bakery - ground floor windows in the timber outbuilding look straight onto the site. First floor windows in the house are part obscured by the outbuilding & trees.

RELEVANT SITE HISTORY

Y/91/16/HH	Proposed double storey side extension, front porch, single storey rear extension, carport and internal alterations to the dwelling. This application affects the setting of a Conservation Area	Withdrawn 24-01-2017

The applicant stated during the site visit that the existing side extension is not Building Regulations compliant.

REPRESENTATIONS

Representations received:

Yapton Parish Council

"YPC do not object to this proposal but would insist that planning is conditional upon approval of appropriate use of materials to reflect and enhance the Main Road Conservation Area and respect the historical importance of the original dwelling house, Forge Cottage."

Comments on Representations received:

The planning application form states that matching materials will be used other than in respect of single ply membrane material to the flat roofed single storey extension. A condition will be used to enforce these matching materials.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Conservation Officer

Consultations responses received:

ADC CONSERVATION OFFICER - No objection:

"The building occupies a 'backland' site within the Main Road/Church Road, Yapton conservation area and it has very little presence in the public realm. From the conservation perspective, it is rarely considered appropriate to significantly alter the principal elevation of a building within a designated area.
Distinctive architectural qualities are likely to be obscured and the building's special contribution to local character diminished. However in this case, the host dwelling occupies a 'backland' location and it has little visual presence in any important streetscapes. The building lacks evident architectural merit and it makes a limited contribution to the distinctive qualities of the conservation area.

The two storey addition is a dominant, bulky element which transforms the appearance of the host dwelling and considerably intensifies the present level of development on the site. However, the enlarged built form remains reasonably consistent with the scale of adjacent buildings and it continues to have little presence in the public realm. While the proposal is not entirely consistent with para 137 of the NPPF - which requires new development to enhance or better reveal the significance of a designated area - it makes little difference to the overall appearance of the host building, which remains neutral.

The impact of the proposal on the significance of the designated area is therefore negligible. Although it fails to contribute anything positive, it causes little actual harm, and it is condoned in terms of Local Plan 2003 Policy Area 2 and Local Plan 2014 Policy HER DM3."

ADC DRAINAGE ENGINEERS - Request a condition requiring the investigation of infiltration for surface water disposal.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC) - Object on the basis that the extension is not visually subservient to the main house.

Comments on Consultation responses:

The two storey side extension is clearly not subservient to the host building. However, the comments of CAAC are considered to be overruled by those of the Councils Conservation Officer.

In respect of drainage, it is understood that surface water from the existing house drains to the foul sewer but that surface water from the existing extensions drains to ground. The applicants have stated that they will extend the existing soakaway to deal with surface water drainage from the proposals.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary; and
Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design SD SP2 Built-Up Area Boundary
Yapton neighbourhood plan 2014 Policy BB1	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy E8	Conservation Areas
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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: Aldingbourne;

Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The policies of the Yapton NDP will be considered in this report.

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 does not strictly comply with Policy DEV19 as it is not a subservient addition to the house. However, it complies in other respects and 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

Regard should be had to the location of the dwelling to the rear of and not visible from the Church Road streetscene such that the two storey extension will not adversely impact upon the character of the area.

CONCLUSIONS

PRINCIPLE:

The site is within the built up area boundary where development is acceptable in principle subject to normal development control criteria being satisfied such as design, visual & residential amenity and highway safety/parking.

CONSERVATION AREA

Policy AREA2 of the Arun District Local Plan states that: "Planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting". Furthermore, Yapton Neighbourhood Development Plan policy E8 states that:

"Within the Church Lane and Main Road/Church Road conservation areas development proposals

will be required to preserve or enhance the character of those areas. Development proposals and extensions and alterations to existing buildings and structures will be expected to:

* be suitably designed for the context within which they are set; and
* ensure that the scale and massing of buildings relate sympathetically to the surrounding area; and
* use traditional and vernacular building materials to respect the context of the development concerned."

The Councils Conservation Officer acknowledges that the proposal will alter the principal elevation and will add a dominant, bulky two storey element which will transform the appearance of the host dwelling and intensify the present level of development on the site. However, regard is had to the location of the dwelling within a backland location such that it is not visible from the public realm. Furthermore, the building itself is considered to lack architectural merit and it makes a limited contribution to the distinctive qualities of the conservation area. Furthermore, the enlarged built form does remain reasonably consistent with the scale of adjacent buildings and the overall appearance of the host building remains neutral.

On this basis, it is considered that the impact of the proposal on the significance of the designated area is negligible, the proposal causes little actual harm and is therefore acceptable in respect of development plan policies.

RESIDENTIAL & VISUAL AMENITY:

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design & layout and do not have an unacceptable adverse impact on adjoining occupiers. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

The proposed two storey extension is clearly not a subservient addition to the house. However, with matching materials & height, it will integrate with the existing dwelling. The addition of the car port to the front has precedent given the existing car port. Furthermore, none of the changes are visible in any principle street scenes. The proposal is also considered to tidy up the front elevation by way of the replacement of the existing side garage/car port structure with something that is more purposeful.

No windows are proposed in the new flank wall at first floor and so there will not be any overlooking issues to the neighbouring property. The windows in the timber outbuilding belonging to the old Bakery will look out onto the new side terrace and to the new ground floor kitchen window but this is an existing situation and these neighbouring windows do not serve any actual residential accommodation.

PARKING:

The proposal adds a 4th bedroom and removes the existing garage. However, it retains off-street parking for up to 3 cars and this is considered to be acceptable particularly as Yapton NDP policy

PK1 requires 3 off-street spaces for new 4 bedroom houses.

SUMMARY:

It is considered that the application complies with all development plan policies and it is therefore recommended that planning permission be granted subject to the following 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 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:

17004-P-100 Rev A "Block & Location Plan";
17004-P-101 Rev E "Site Plan";
17004-P-106 Rev C "Ground Floor Plan as Proposed";

17004-P-107 Rev C "First Floor Plan as Proposed";
17004-P-109 Rev C "South & West Elevations as Proposed"; and
17004-P-108 Rev C "North & East Elevations as Proposed".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

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 GEN7 and GEN9 of the Arun District Council Local Plan. 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 materials and finishes of the external walls (render & facing brick plinth) and roof (grey slate roof tiles) of the extensions hereby permitted shall match in colour and texture those of the existing building. The proposed single ply membrane roofing material is not expected to match in colour/texture.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

5 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.

6 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.