

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

REF NO: Y/39/19/HH

LOCATION: 10 The Pines
Yapton
BN18 0EG

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Single storey rear extension with flat roofing to run along the eastern boundary.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council
No objection from Parish Council.

No representation from nearby occupiers.

CONSULTATIONS

Southern Water Planning
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage engineers:-
Apply condition and informative.

It is not considered that the condition is necessary an extension of similar footprint could be completed under permitted development.

POLICY CONTEXT

Within the Built-Up Area Boundary
Tree Preservation Orders

DEVELOPMENT PLAN POLICES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**Principle**

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4. The site is occupied by a detached property with front and back gardens in a mixed design area.

Policy

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy BB1 of the Yapton Parish Neighbourhood Development Plan explains the development of Yapton village shall be focused within the built-up area boundary as identified in the plan. Development proposals will be supported within the built-up area boundary subject to compliance with other policies in the development plan.

Site history

Relevant site history noted.

Design and Visual Amenity

The applicant seeks planning permission for the construction of a rear extension to the established dwelling. The proposed rear extension will measure approximately 3.2m wide, 9.2m in length and be built to the proposed height of pitch of 2.8m.

The proposed extension given its location will not be visible from the street scene, it will therefore not have a detrimental impact on the character of the host dwelling or the street scene.

The proposed extension is considered to appear subservient to the host dwelling and would not result in any adverse impact on the spatial pattern or character of the area and would therefore accord with the policies D DM1 and D DM4 of the Arun Local Plan.

Neighbouring Residential Amenity

The proposed rear extension will be located 3.6m from the northern boundary and approximately 9.5m

from the western boundary. On the western elevation there are 2 No. proposed French doors.

Given the design and location of the extension it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing and overbearing and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

Under permitted development there is the possibility for similar height outbuildings to that of the extension and the impact of this application would be similar. Therefore, it is deemed to be acceptable.

The 45 degree rule may cause conflict with this application but it would be modest and due to the design of the extension and its modest width and height it would not cause demonstrable harm to the amenities of the neighbour.

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 E01, E-02,P-02, P-01,P-04 and P-02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy D DM4 of the Arun Local Plan.

- 3 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. 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>.
- 4 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.