

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

REF NO: Y/3/13/

LOCATION: Rumford
Church Road
Yapton

PROPOSAL: Single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey extension to be positioned on the south side of the dwelling measures approximately 6.1m in width, depth of 7.6m and a maximum height of 5.3m.
SITE AREA	Approximately 784 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wooden entrance gates approximately 1.5m in height, rear has hedging approximately 2.5m in height, south side boundary flint wall approximately 1.8m in height, north side boundary has close boarded fencing + hedging approximately 2.5m in height.
SITE CHARACTERISTICS	Two storey detached property with conservatory on rear north side elevation, attached double garage to front with gravel driveway. The walls are flint with red brick quoins, red tiled roof with wooden casement windows.
CHARACTER OF LOCALITY	Within the Conservation Area. Residential area with a mixture of detached, semi-detached and terraced properties of various styles and designs. Berri Court to rear west of site is a Grade II Listed Building.

RELEVANT SITE HISTORY

Y/13/92	Erection of three detached houses and the conversion and extension of the existing outbuilding to form one dwelling.	Approve Conditionally 17-06-1992
Y/17/03/	Conservatory to rear.	Approve Conditionally 16-05-2003

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Conservation Officer

Southern Water Planning

Consultations responses received:

Conservation Officer

Awaited

Conservation Area Advisory Committee

The provisions of the Equality Act have been noted regarding disability issues. Materials to match existing.

Southern Water

A formal application will be required for any new connection to the foul sewer to be made by the applicant or developer. Our initial investigations indicate that there are no public sewers in the area to serve the development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer. Southern Water's current sewerage records do not show any public sewers 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.

Due to surface water inundation issues in the Lidsey Catchment the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impact on development". Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Comments on Consultation responses:

Conservation Officer

Awaited

Conservation Area Advisory Committee comments noted

If approved, a condition will be imposed regarding materials.

Southern Water comments noted

If approved, an informative will be attached regarding connection to the foul sewer and surface water inundation measures.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundnary

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA2	Conservation Areas
	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

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.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 and appearance of the Conservation Area and surrounding residential 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 was formally within the Berri Court curtilage and the detached two storey dwelling with attached double garage was constructed in the middle 90's. The application seeks to construct a single storey extension on the south side of the dwelling which will comprise a bedroom/living room accommodation for the benefit of the disabled applicant.

The proposed extension which will have a hipped roof will be approximately 6.1m in width, depth of 7.6m and a maximum height of 5.3. The design of the roof is in keeping with main dwelling and garage and the materials and window details will match the host dwelling.

The properties within the immediate vicinity are sited approximately 11m away. The garden is well screened on all boundaries with dense hedging so it is not considered that this would detrimentally harm the occupiers by way of loss of outlook.

The proposal is sited approximately 25m from the front boundary and whilst it may be partially viewed from Church Road it is not considered to be of an obtrusive nature, nor would it harm the established character of the surrounding residential area. In the officers opinion, the proposed extension will preserve the character and appearance of the Conservation Area.

It is therefore recommended to approve the application, subject to the following 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 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 positive impact has been identified in respect of age and disability.

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: Location 1:2500/Block 1:200 Drg No 1697/SL-29, Proposed Floor 1:100 Drg No 1697/BL-118, Proposed Elevations Drg No 1697/BL-119 received on 18th January 2013.

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 and roof of the extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel: 01962 858688) or www.southernwater.co.uk.

Due to surface water inundation issues in the Lidsey Catchment, the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development" which is available on the web site.

- 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, DEV19, AREA2

NATIONAL POLICIES: 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.

- 6 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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

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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.