

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** Y/44/13/**LOCATION:** Eappa Farmhouse
North End Road
Yapton**PROPOSAL:** Rear two storey extension**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed rear two storey extension measures approximately 7.3m maximum in width, maximum depth of 3m with a maximum height of 7m.
SITE AREA	Approximately 0.68 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Slightly uphill from road.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Side elevation of property directly onto footway with open aspect and gravel driveway, rear is undefined, south side has close boarded fencing approximately 2m in height, north side boundary wall approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey with white rendered walls on west side elevation, flintwork with wood affect detailing on rear and south side elevation, clay tiled roof.
CHARACTER OF LOCALITY	Main road comprising residential properties detached and semi-detached of various styles and designs, immediate property to the south is thatched.

RELEVANT SITE HISTORY

Y/43/00/	Proposed two storey detached outbuilding	ApproveConditionally 10-10-2000
Y/39/08/	New dwelling (Departure from the Development Plan)	Refused 22-08-2008
Y/7/11/	New dwelling. (This application is a Departure from the Development Plan).	Refused 18-04-2011
Y/8/60	Alterations and drainage	Permit'd Devel 15-06-1960

Y/51/11/

New dwelling. Resubmission of Y/7/11 (This application is a Departure from the Development plan)

Refused

12-01-2012

**Appeal: Dismissed
10 12 2012**

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection

1 Letter of Objection

The proposal appears not to show how the design relates to the existing built context of Eappa Farmhouse.

It appears that an additional unit is being formed.

Eappa Farmhouse is a beautiful farmhouse and should be protected by listing.

Work has already progressed on the site with building materials being stored and soakaways being dug.

The property is a good sized property and I am concerned that the boundary has been moved at the rear which encroaches into Langmead's field.

Cannot evaluate the drawings and therefore I cannot evaluate how it will affect me as an adjoining property.

Comments on Representations received:

Objection comments noted

A site inspection is carried out by the planning officer and the design of the extension is assessed against the dwelling as a whole and impact on neighbouring properties.

The ground and first floor extension to the rear is to provide for additional accommodation for the residents of the property and does not form a separate residential unit.

At the time of the officer's visit it was noted that the foundations had been dug. The work is subject to Building Regulations which is the subject of a current submission Y/45/13/BR and will be inspected at the relevant stages.

The application site is shown on the block plan red edged as part of the application and the development is within the curtilage of the site.

See Conclusions Section of the Officer's report regarding impact on neighbouring properties.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of drainage surface water from this development are required. This should not involve disposal to a public foul sewer.

We request that should this application receive planning approval, an informative is attached to any consent requesting that a formal application for connection to the public sewerage system is required in order to service this development.

Comments on Consultation responses:

Comments noted
If approved, an informative will be placed on any approval.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary
Class B Road
Area of Special Control for Advertisements
No Public Sewer
Permitted Development Restriction on Y/43/00

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 detached two storey property is sited on a higher level than the road, the western side elevation being sited adjacent to the footway with the main entrance being sited on the southern side of the dwelling.

The application seeks to construct a two storey extension on the rear elevation of the property which will create an extended living area on the ground floor with bedroom and wet room above. Due to the shape of the existing dwelling it will be sited approximately 950mm from the northern side boundary and the ground and first floor areas will be stepped in from the host dwelling due to the shape of the existing roof line. The existing rear elevation has painted brick and render detail with 'tudor' style boarding and the proposed materials will match the existing with a plain tiled roof.

With regard to residential amenity there are open fields to the rear and the neighbouring property to the south 'The Old Thatched Cottage' is sited approximately 19m away. The southern side boundary is well screened so it is not considered that the windows on the ground and first floor of the extension would create any unacceptable overlooking or loss of outlook than currently exists. The immediate property to the south Homing Cottage has previously been extended on the rear with a first floor addition and conservatory. Due to the orientation of this property the proposed extension will be sited approximately 950mm away. The extension has been stepped in and the roof line slopes away from the northern side boundary. There is a rooflight on this side elevation which serves the kitchen but it is not considered that this would create any direct overlooking by virtue of its position. Whilst it is accepted that there may be a degree of overshadowing to this property at certain times of the day it is not considered to be of an unacceptable level to warrant a refusal.

The proposal will not be visible to the front so will not compromise the established character and appearance of the street scene or surrounding residential area.

It is therefore recommended that the application be approved subject to 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 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: Location 1:1250/Site 1:500 received on 29th August 2013, Proposed Ground Floor 1:50 Rev A, Proposed First Floor.1:50 Rev A, Proposed Elevations 1:100 Rev A, Proposed Roof 1:500, Proposed Cross Section 1:50 Rev A received on 18th July 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 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

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

- 4 No windows or other openings (other than those shown on the plans hereby approved) shall be constructed in the north side elevation of the extension hereby permitted which adjoins the side boundary with Homing Cottage, North End Road without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 **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.

- 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 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.