

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

REF NO: Y/62/21/HH

LOCATION: Hazel Cottage
Church Lane
Yapton
BN18 0EH

PROPOSAL: Erection of rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks a rear flat roofed extension measuring approximately 3m in depth by 6m in length.
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RELEVANT SITE HISTORY

Y/134/20/NMA	Non-material amendment following grant of Y/89/19/HH to change proposed rooflight to a lantern light.	Refused 14-12-20
Y/89/19/HH	Single storey side extension linking semi-detached garage to existing house including conversion of existing garage to habitable use and rear extension. This application affects the setting of a listed building.	ApproveConditionally 23-01-20
Y/79/19/NMA	Non-material amendment following the grant of reference Y/8/19/HH to extend proposed extension to meet existing side of house and to change the proposed orangery for bi-fold doors	
Y/8/19/HH	Single storey side extension linking semi-detached garage to existing house including conversion of existing garage to habitable use and rear extension. This application affects the setting of a listed building.	ApproveConditionally 06-08-19

REPRESENTATIONS

Yapton Parish Council - No Objection

Council's Engineers - Surface water disposal needs to be considered due to the Lidsey Treatment Catchment, however due to scale of the proposal it does not require conditioning.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Lisdey Treatment Catchment

Locally Listed Building

DEVELOPMENT PLAN POLICIES

[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)
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E9

Listed Buildings and Buildings or Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

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 the locality.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Policy BB1 within the Yapton Neighbourhood Plan seeks to restrict new development in the countryside

and does not include householder development within the list of exceptions to this and policy E9 seeks to protect the loss of listed buildings and building of special character within the area.

DESIGN AND VISUAL AMENITY

The proposal seeks a ground floor rear extension. The extension is to replace a conservatory albeit with a larger footprint. The size of the extension is appropriate for its intended use and a suitable scale when compared with the plot size and does not compromise the established spatial pattern of the area.

The eaves to the flat roof extension and its overall height will run through at the same level as the flat roof extension to the west, approved in 2019.

It is proposed the extension be built from materials which match those found on site, as such, it is concluded the extension will sympathetically relate and be visually integrated with the dwelling.

The extension will be glimpsed from the roadside at the boundary's most eastern point. As only a small portion of the extension will be visible then it is not considered that it will dominate the property or the wider street scene.

Having regard to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

In terms of the extension, it is not thought that this will be overbearing or overshadow the listed building to the west. There is a greater than 5m distance to the western boundary, which is the same as the existing conservatory. To the south and east is a private drive which provides large separation distances to other nearby properties. The extension complies with the 45-degree rule and has adequate rear garden.

In terms of overlooking, the rear extension will have fenestration facing at ground floor level and therefore no overlooking into neighbouring properties will occur.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 of the Arun Local Plan and Part M of the Arun Design Guide.

LOCALLY LISTED BUILDING

The extension is considered to bring about less than substantial harm to the dwelling. The extension will replace a unsympathetic conservatory and be in keeping with previous extensions to the dwelling. The extension will be to the rear of the property. Although glimpses of the extension may be seen from the very eastern boundary, in large, the street scene will remain unchanged, preserving the established character of the area. As such the proposed extension by reason of its simplistic styling will sit harmoniously alongside the existing dwelling in accordance with policy HER DM2 of the Arun Local Plan and policy E9 of the Yapton Neighbourhood Plan.

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 ;

- Location and Block Plan
- Proposed Plans and Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.
- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

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