

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

REF NO: Y/63/22/HH

LOCATION: 53b Charles Square
Cinders Lane
Yapton
BN18 0XJ

PROPOSAL: Erection of single storey rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey rear conservatory.

REPRESENTATIONS

Yapton Parish Council - No Objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC Drainage Engineers - No Objection

- Given the scale of the proposed development and based on the assumption that the increase in impermeable area may be considered equivalent to what may be achieved under permitted development, the documents supplied as part of this application have not been assessed.

- We would stress the need to consider properly and bring to the applicant's attention, surface water disposal, especially in the Lidsey Treatment Catchment. If you would like a formal analysis of the application, with likely recommendations for pre-commencement conditions, then please get in touch within two weeks of this consultation, in the absence of a reply we will assume one is not required.

POLICY CONTEXT

Built Up Area Boundary
WSCC Mineral Consultation Areas
Lidsey Catchment Treatment
CIL Charging Zone 2

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)
DSP1	D SP1 Design

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**

The key policies are D DM1 and D DM4 of the Arun Local Plan, and guidance set by the Arun Design Guide.

Yapton has a 'made' Neighbourhood Plan of which Policy BB1 is relevant. The proposal complies with this policy being with built up area boundary.

DESIGN AND VISUAL AMENITY

The proposal is situated to the rear of the property and will not be clearly visible from the wider area.

The conservatory will project from the rear by 3.6m and have a width of 3.7m. It will have a glazed hipped roof, which although differing to the host dwelling, will not appear unduly out of place and is acceptable. The proposal will have minimal harm on the visual appearance of the property and poses little impact on its character. Being to the rear, the proposal will not be visible from the street scene to the front. There is a street to the rear which the property backs on to, and from which the conservatory will be partially visible from. This visibility will be minimal however and will have no impact on the composition or appearance of the locality. There will be minimal harm on visual amenity and character of the area as a result of the proposal.

The extension appears subservient to the design of the host and is well integrated. It is appropriate in terms of scale and massing and will not be unduly obtrusive or dominant on the host dwelling. The materials used will match the existing where possible, ensuring minimal intrusion on visual amenity.

The Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. This proposal complies with this.

The development will have no adverse impact on visual amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Design Guide.

RESIDENTIAL AMENITY

The conservatory will be single storey and have a hipped roof at approximately 3.3m high and 2.5m at the eaves. The extension itself retains 0.306m to the east boundary, 8.894m to the south, and 3.476m to the west. These distances are in accord with D DM4, with no overbearing or overshadowing of the neighbours to the west and south. The proposal does not conflict the 60 degree rule but does marginally cross the 45 degree line with No.53a to the east. This will not be detrimental however and will have minimal harm on the residential amenity of No.53a. It will result in no adverse overbearing or overshadowing of their property and as such is acceptable.

Being a conservatory, the proposal will comprise of several windows and doors, with a glazed roof. It will

feature windows to the east elevation, bi-fold doors to the south, and full-length windows to the west. The features to the south and west elevations will have minimal harm on residential privacy or amenity, in that they will not overlook any neighbouring properties. The windows to the east elevation will face towards the garden of No.53a, but given their height of these windows, there will not be adverse overlooking of the neighbouring property. The windows will have no adverse harm on their privacy or amenity and are acceptable.

The Arun Design Guide states extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows. The proposal is in accord with these criteria.

The development will result in no adverse overbearing, overlooking, or overshadowing, and is in accord with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

SUMMARY

The proposed development is in accord with the relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL Liable.

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 Site Plan 0053/PP/01
- Proposed Elevation and Floor Plan 0053/PP/03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 **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.