

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

REF NO: Y/70/19/HH

LOCATION: 28 Downview Road
Yapton
BN18 0HJ

PROPOSAL: Extension to front elevation & conversion of existing rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

PAA/152/18/	Rear dormer projection to new second floor	Approve Pre App 02-04-19
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

No objection.

No representation from nearby occupiers.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Lidsey Treatment Catchment
Built Up Area Boundary
Remnants of Portsmouth & Arundel Canal

DEVELOPMENT PLAN POLICIESArun 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
SDSP2	SD SP2 Built-up Area Boundary
HERDM5	HER DM5 Remnants of the Portsmouth and Arundel Canal

Yapton neighbourhood plan 2014 Policy BB1

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E10

The former Portsmouth and Arundel Canal

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. Where the site is located on the remaining line of the Portsmouth and Arundel Canal HER DM5 is also relevant. 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 pf 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 HER DM5 of the Arun Local Plan outlines development will be permitted where it would not adversely affect the remaining line and configuration of the Portsmouth and Arundel Canal and features along it.

Policy BB1 of the Yapton Neighbourhood Plan outlines the development of the 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.

Policy E10 of the Yapton Neighbourhood Plan explains proposals that would result in the loss of the remaining structures and/or visible features of the former Portsmouth and Arundel Canal will not be permitted.

Site history:

Relevant history noted.

Design and Visual Amenity:

The applicant seeks planning permission for the construction of a front extension to the established dwelling and an alteration to the existing conservatory. The proposed rear extension will measure approximately 4.7m wide, 3.25m in depth and be built to the proposed height of 3.9m and the eaves height of 2.5m. The proposed side extension will be measuring 1m in width, 2.45m in depth and to a proposed height of 3.9m and at the eaves 2.5m to match the rear extension. The proposed front extension protruding a further 1.8m with a width of 3.5m.

The proposed front extension given its location will be visible from the street scene, it will therefore it will have an impact on the character of the host dwelling or the street scene, however it is deemed to be 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 7.2m from the eastern boundary and 1.45m from the northern boundary. The extension to the front of the property will be 11m from the western boundary.

It is acknowledged that the extension to the rear could impact the view from the neighbouring property but as it is not increasing the footprint or height of the current conservatory the proposal is deemed to be acceptable. The front extension will be the first of its kind along the road however, there are other front extensions as such the proposed is not deemed to negatively impact the spatial pattern of the area.

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.

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 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 3 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 4 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan
 - Block Plan
 - Ground Floor and Roof Plans
 - Proposed Elevations

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.

- 5 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.