

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

REF NO: Y/86/17/HH

LOCATION: 21 Downview Road
Yapton
BN18 0HL

PROPOSAL: Convert existing garage into habitable space & pitched roof to existing garage & utility room to replace existing flat roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposal plans show the conversion of the garage to a playroom. There is no extension to the footprint of the building however the flat roof will be replaced with a pitched roof which is hipped at the front and gable end at the rear, the proposed roof has a height of approximately 4.4m (max). The garage door will be replaced with brickwork and render and a window. The proposal also provides a change to the existing window in the side elevation of the main house which is reduced in size. The rear will be rendered with weatherboarding self colour above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the property is open. The side boundary has the side wall of the neighbouring property's garage and a timber fence approximately 1.8m high.
SITE CHARACTERISTICS	The site comprises an end of terrace two storey property constructed of brick and white cladding beneath a tile roof. The property has a hard standing to the front used for vehicle parking and has a modest rear garden.
	The property currently has a single storey garage with clad extension to the rear for a utility room.
CHARACTER OF LOCALITY	The area is residential comprising similar scale and design properties. The road slopes from north to south.

RELEVANT SITE HISTORY

Y/60/17/DOC	Application for approval of matters reserved by condition imposed under Y/37/17/HH relating to condition 5 for surface water drainage.	DOC Refused 13-11-17
Y/37/17/HH	Single storey side extension.	ApproveConditionally 24-08-17
Y/28/17/HH	First floor side extension & single storey rear extension.	
Y/11/12/	Construct an additional parking area with block paviors to front of existing dwelling	ApproveConditionally 31-05-12

Planning permission has been granted for a single storey side extension in 2017, this scheme had a higher pitched roof. In addition, planning permission was granted for additional parking area with block paviors to front of existing dwelling in 2012.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council has no objection.

No response to public consultation

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

The Council's Drainage Engineer has no comment.

Southern Water request informatives to any permission.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

[Yapton neighbourhood plan 2014 Policy BB1](#) Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. A consultation on the proposed modifications ended mid February 2018

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-

submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The existing garage is sited on the south side and is sited approximately 0.75 from the boundary of No.19 to the south although is on higher ground. The proposed pitched roof is lower than the previously approved side extension and also slopes towards the main property rather than creating a gable end. It will be visible from the street but is not a dominant feature. The change to the existing window in the side elevation of the main house is considered acceptable. Likewise the replacement of the garage door with a window which reflects the character and style of the existing windows is not an intrusive feature when viewed from the street.

Materials would match existing house. Therefore, it is not considered that the proposed development as a whole would have any adverse harm to the character and appearance of the host property or the wider area.

With regard to the amenity of adjoining occupiers the proposed development does not involve an increase in footprint and there are no windows in the side elevation facing No.19, which is set on a lower level than the application site. As such it is not considered that there will be a loss of privacy to the occupiers of No.19, In addition, given the height and design of the proposed roof the proposed development will not lead to a loss of outlook or be unduly dominant upon the adjoining occupiers at

No.19. Given the position of the garage there is no impact upon the occupiers of No.23. or No.32 Downview Close to the rear. Therefore, the proposal is not considered harmful to the amenity of adjoining occupiers.

The loss of the garage will lead to a loss of a parking space however, parking space has been approved to the front of the house and therefore it is not considered that the proposal will give rise to any issues relating to parking or highway safety.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties or the character of the area. As such it would comply with adopted planning policies in the Arun Local Plan 2003 and the Yapton Neighbourhood Plan.

It is therefore recommended that permission be granted 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 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 site plan, block plan, 62/17/01 existing floorplans, 62/17/02 existing roof plan,

62/17/03 existing elevations, 62/17/04A proposed floorplans. 62/17/05A proposed floorplans & 62/17/06A proposed elevations.

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 development 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 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.

- 5 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. It should be noted that Southern Water is currently consulting on the New connections charging process as directed by Ofwat. Please refer to Southern Water's website <https://www.southernwater.co.uk/new-connections-charging-consultation> for further details.

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

- 7 INFORMATIVE: Please note that Southern Water's records shows a public foul sewer in the immediate vicinity of the existing building and therefore any changes to the building foundations will require Southern Water approval.

Due to changes in legislation that came in to 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. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.