APPLICATION REF: Y/98/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Two storey side extension, 30 The Pines, Yapton.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed two storey extension measures approximately 3m in length, 6.1m in depth and 7.2m in height.
SITE AREA	Approximately 300 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Property is on a higher level than the road.
TREES	None affected by the proposal.
BOUNDARY TREATMENT	Front boundary has a paved driveway and open to the highway. Rear boundary has tree screening approximately 3m-4m in height, west side boundary has wall approximately 3m in height, east side boundary has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	End of terrace two storey property with open porch, conservatory on west side elevation, detached garage which is attached to garage of No 31. The walls have yellow brickwork, brown window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Residential with two storey detached, semi-detached and terraced properties. Grass area in front of properties with trees.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None.		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Yapton Parish Council	Awaited.
1 Letter of Objection	Bedroom window on the proposed extension would be very close to the boundary of my property resulting in a loss of privacy. Extension would overshadow my garden. The closeness of the proposed extension to my boundary wall which is listed is a concern, as it is not possible to determine the

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	precise distance from the plans. The extension would be an overdevelopment of the site.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None.	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary PDR – Open Plan Condition.

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN2, GEN7, DEV19.

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

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.

COMMENT ON CONSULTATION RESPONSES

None.

COMMENT ON REPRESENTATIONS RECEIVED

Noted. With adequate distance to the neighbouring property it is not considered that the bedroom window on the rear elevation would create any direct overlooking or loss of privacy and whilst there may be some overshadowing from the proposed extension to the rear garden area this is not significant to warrant a refusal. The precise position of the proposed extension in relation to the listed wall will be 3m to the front decreasing to 2m at the rear.

ASSESSMENT OF PROPOSAL

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."

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 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 end of terrace property is set back from the highway and has a detached garage to the front with a conservatory on the westerly side elevation. The existing conservatory on the west side elevation of the property will be demolished and the two storey extension will be positioned on this side elevation and will comprise a garden and utilty room on the ground floor and a bedroom with en-suite on the first floor. The extension will be set back from the front of the dwelling by approximately 2m with the roof height being lower than the existing roof line and it is considered that the size, design and height of the extension is acceptable and visually subservient to the main dwelling.

The Shoulder of Mutton and Cucumbers garden area is to the rear of the site and the neighbouring property to the west Dyers Croft is approximately 27m from the proposal. The proposed extension will be sited approximately 2m from the side boundary with Dyers Croft which has a wall running along this side boundary which is approximately 3m in height. There are no windows at first floor level on the side elevation but the proposal has a bedroom window on the rear elevation that will overlook the garden area of this property. Further, with a distance of approximately 27m to this property it is considered that any overlooking will be of an oblique nature rather than direct overlooking and not significant enough to warrant a refusal. The immediate neighbouring property No 31 is approximately 9m from the proposal and this property has an entrance door and bathroom window at first floor level that will front the proposal but it is not considered that the extension would cause harmful overlooking or loss of privacy to the occupiers of this property.

Therefore having taken all of the above factors into consideration, it is not considered that this proposal would detrimentally impact upon the residential amenities of any neighbouring property by way of overshadowing, overbearing effect, loss of privacy or overlooking.

Furthermore, it is not considered that the proposal would be obtrusive in the context of the street scene, nor would it conflict with the established character of the established residential area.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.

RECOMMENDATION Y/98/07/

TOWN AND COUNTRY PLANNING ACT 1990

RECOMMENDATION

Application Ref: Y/98/07/

1 **To Addressee**

2 **Site Address**
30 The Pines
Yapton

3 **Description of Development**
Two storey side extension

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

CONDITION 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).

CONDITION 2 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 DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 No windows other than those shown on the plans hereby approved shall be constructed at first floor level on the west side elevation of the extension hereby permitted which adjoins the side boundary with 'Dyers Croft' 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 DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, DEV1

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Mrs J Chapman