

Report to **Planning Committee**
Date **1 March 2017**
By **Head of Planning Services**
Local Authority **Chichester District Council**
Application No. **SDNP/16/05176/HOUS**
Applicant **Mr & Mrs M Sindihakis and Mrs S Wadham**
Application **Extension and alteration of existing building to include open plan kitchen and dining area.**
Address **5 Mitchmere
Wildham Lane
Stoughton
PO18 9JW**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Reason for Committee Referral: Cllr Tassell – Important information/opinion to raise in debate

This application was deferred for a site visit at the 2 February 2017 meeting of the Planning Committee.

This proposal is for the erection of a front porch, single storey rear extension and insertion of two dormer windows on the rear roof slope of the property. The proposal has been amended from that originally submitted to improve the design of the rear extension and dormer windows.

The dormer windows are considered to be acceptable in terms of their design, size and scale in relation to the rear roof slope, and the extension represents an acceptable form of development that is appropriate to the character of the existing dwelling and does not result in harm to the rural character and appearance of the area. Whilst there would be some modest overshadowing of the neighbours rear garden from the proposed rear extension this would not result in an unneighbourly form of development sufficiently harmful as to warrant a reason for refusal. The proposed front porch is considered to be acceptable and an appropriate form of extension to the dwelling.

The application is therefore recommended for approval.

1 Site Description

1.1 The site lies within the Rural Area and the wider South Downs National Park. 5 Mitchmere Cottages is a two storey semi-detached dwelling constructed of multi-stock brick and white painted pebble dash render to its upper floor, with a hipped tiled roof. The dwelling is situated within a row of semi-detached properties in a relatively isolated position and fronts onto the road that connects the villages of Walderton and Stoughton. It is sited in a slightly elevated position on the south side of the road. The site boundaries comprise a mix of fencing and hedging, with the front and rear gardens laid to grass.

2 Proposal

2.1 This application (as amended) seeks planning permission for the addition of a front porch, a rear single storey extension and insertion of two dormer windows on the rear elevation.

3 Relevant Planning History

No relevant planning history

4 Consultations

4.1 Parish Council

The Parish Council has considered the application, and wishes to comment that they have no objection.

5 Representations

5.1 1 third party objection

- The proposal would have an unneighbourly impact on the neighbour's living conditions as it could lead to the loss of light.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this area comprises the Chichester District Local Plan 1999 and all made neighbourhood plans. There is no made neighbourhood plan for Stoughton Parish at this time.

Policies relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework policies have been considered in the assessment of this application:

National Planning Policy Framework: Core Principles, Section 7 (Good Design) and Paragraphs 17 (Sustainable Development) and 115 (Conserving the Landscape and Scenic Beauty of National Parks).

Chichester District Local Plan 1999

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the Chichester District Local Plan 1999 are relevant to this application:

RE1 - Development in the Rural Area Generally

BE11 - New Development

BE12 - Alterations, Extensions and Conversions

South Downs Local Plan Preferred Options 2015

The draft South Downs Local Plan Preferred Options 2015 was approved by the South Downs National Park Authority on 16 July 2015. The public consultation on the document took place in September and October 2015. The document and the policies contained therein are now a material consideration when determining planning applications within the National Park, however at this stage the policies will carry limited weight.

The following policies are considered relevant to this application:

SD5 – Landscape character

SD6 – Design

SD9 – Dark Night Skies

SD45b – Extensions to dwellings

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following policies of the SDNPA Partnership Management Plan 2014 are relevant to this application:

- General Policy 1
- General Policy 3

8 Planning Assessment

8.1 The main issues with this proposal are considered to be:

- the impact of the design and scale of the proposed extensions and alterations on the character and appearance of the dwelling
- the impact of the development on the character and appearance of the SDNP
- the impact of the development on the amenities of the occupiers of the neighbouring properties

The impact of the design and scale of the proposed extensions and alterations on the character and appearance of the dwelling

8.2 This application seeks planning permission for the addition of a front porch, a rear single storey extension and insertion of two dormer windows on the rear elevation of the dwelling.

8.3 The proposed front porch is small in scale and is of an appropriate design to reflect the character and appearance of the existing dwelling. The single storey rear extension has an L-shaped floor plan and extends a further 2.9 metres from the existing rear wall of the property on its north-east side and as far as the neighbours extension on its south-west side. The extension will provide a new kitchen and dining area for the property. It is to be sited no closer than the existing dwelling to the north-east boundary with the neighbour. The extension is to be constructed from materials to match the existing dwelling and has a flat roof incorporating a lantern style roof light which has been reduced in size and scale from that originally proposed. A new catslide roof will be formed at the rear of the property which will extend down to the ground floor eaves level.

8.4 In terms of the alterations to the dwelling at first floor level the original proposal was for a single large flat roof dormer window running the width of the property. This has been amended to two smaller traditionally formed dormer windows which are considered to be in scale and character with the existing dwelling.

8.5 In terms of their impact on the character and appearance of the existing dwelling the proposed extensions and alterations are considered to be well-designed and of a character and appearance that is appropriate for this modest semi-detached dwelling. In this respect the proposals are considered to comply with policies BE11, BE12 and H12 of the CDLP.

The impact of the development on the character and appearance of the SDNP

8.6 The proposed extensions and alterations are mainly located to the rear of the dwelling with a modest front porch to the front. Because of this the extensions and alterations will largely be screened by the existing dwelling. A public footpath runs to the south-west of the dwelling from which there are limited views of the dwelling. The dwelling is set well back from the road frontage and because the extensions alterations are mainly at the rear their impact on the wider landscape will be limited. The good quality design of the proposals and their modest scale results in a form of development that does not detract from the character and appearance of the host dwelling or have an adverse impact on the wider area. The proposal is therefore considered to both conserve and enhance the natural beauty of the SDNP and in respect of this issue complies with policies BE11, BE12 and H12 of the CDLP.

The impact of the development on the amenities of the occupiers of the neighbouring properties

8.7 The proposed rear extension to 5 Mitchmere Cottages will extend a further 2.9 metres out from the existing rear wall of the dwelling. 4 Mitchmere Cottages which is sited to the north-east of the application site has the greatest potential to be impacted on by the proposed rear extension. 5 Mitchmere Cottages is sited one metre from the boundary with the neighbour at number 4 and the rear extension extends in a straight line from the rear of the property. However the boundary line between the two properties moves away from number 5 meaning that the distance of the proposed extension from the boundary with number 4 becomes greater the further it extends away from the original dwelling. The extension where it extends beyond the existing rear boundary is single storey having a height including the roof structure of 2.9 metres.

8.8 Concern has been raised by the neighbour at number 4 about the proposed extension, where it extends beyond the rear wall of the dwelling. In particular the concerns raised relate to the loss of light to the nearest room which is a kitchen/living room and the loss of a view from the windows of the same room.

8.9 The flank wall of number 4 contains a number of windows including two windows to the kitchen/living room. This room has a further window which faces in a northerly direction and allows natural daylight into this room which is also open to the south. Due to the siting of both dwellings number 4 is actually sited slightly further south than number 5 which helps to reduce the impact of the extension on number 4.

8.10 It is acknowledged that there will be some loss of light to one of the windows in the flank wall of number 4 and therefore to the kitchen/living room. However, the relationship between the two dwellings where flank walls run parallel to each other is not uncommon and the loss of light to the neighbouring property through the construction of the proposed single storey extension which extends only 2.9 metres further to the south will be limited. The proposed development meets the criteria set out in the Council's Design Guidelines for Alterations to Dwellings and Extensions. This limited loss of light to the kitchen/living room is not considered to be sufficiently unneighbourly as to justify a refusal of planning permission for the extension because amongst other things there are a number of other windows which provide daylight to this room. The side window affected by this development is not the primary source of light for the kitchen/living room, but is one of four sources of daylight including the main living room window on the front elevation, two smaller windows on the side and there is also a conservatory on the rear elevation which enables some light to reach into the room.

8.11 In relation to number 6 Mitchmere Cottages the proposed rear extension extends to a point in line with the existing extension of number 6 and therefore has no adverse impact on the amenities of the occupiers of the property.

8.12 The loss of a view from the property which has also been raised as a concern is not a material planning consideration however, notwithstanding this any loss of a view caused by the construction of the extension would be minimal.

8.13 The construction of the rear dormer windows would not result in any additional overlooking of rear gardens and they are therefore not considered an unneighbourly form of development.

In respect of this issue the proposal does not amount to an unneighbourly form of development and as such complies with policy BE11 of the CDLP.

Other matters

Due to the proposal including alterations to the roof structure of the property a bat survey has been carried out and submitted with the application. The assessment concluded that the potential for disturbance to a bat roost is negligible. It's therefore considered that the proposed works would not entail harm to protected species.

9 Conclusion

9.1 The proposed extensions and alterations to the building constitute an appropriate form of development that does detract from the neighbour's living conditions. This proposal is consistent with policies BE11, H12, BE12 and RE1 of the Chichester District Local Plan 1999 and relevant National Policy and Guidance. The application is therefore recommended for approval.

10 Reason for Recommendation and Conditions

10.1 It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The application has been assessed and determined on the basis of the schedule of plans in 'Appendix 2 - Plans Referred to in Consideration of this Application'

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be constructed using external materials to match those on the existing building in colour, texture, form and composition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

4. The windows of the proposed extension and dormer windows shall match in all respects those of the existing building and shall be maintained as approved unless any variation has been agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities.

5. No external lighting shall be installed either on the building or anywhere within the site. This exclusion shall not prohibit the installation of sensor-controlled security lighting which shall be designed and shielded to minimise light spillage beyond the site boundary.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity.

Note: Any proposed external lighting system should comply with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Rafa Grosso Macpherson
Tel: 01243 534734
email: rgmacpherson@chichester.gov.uk

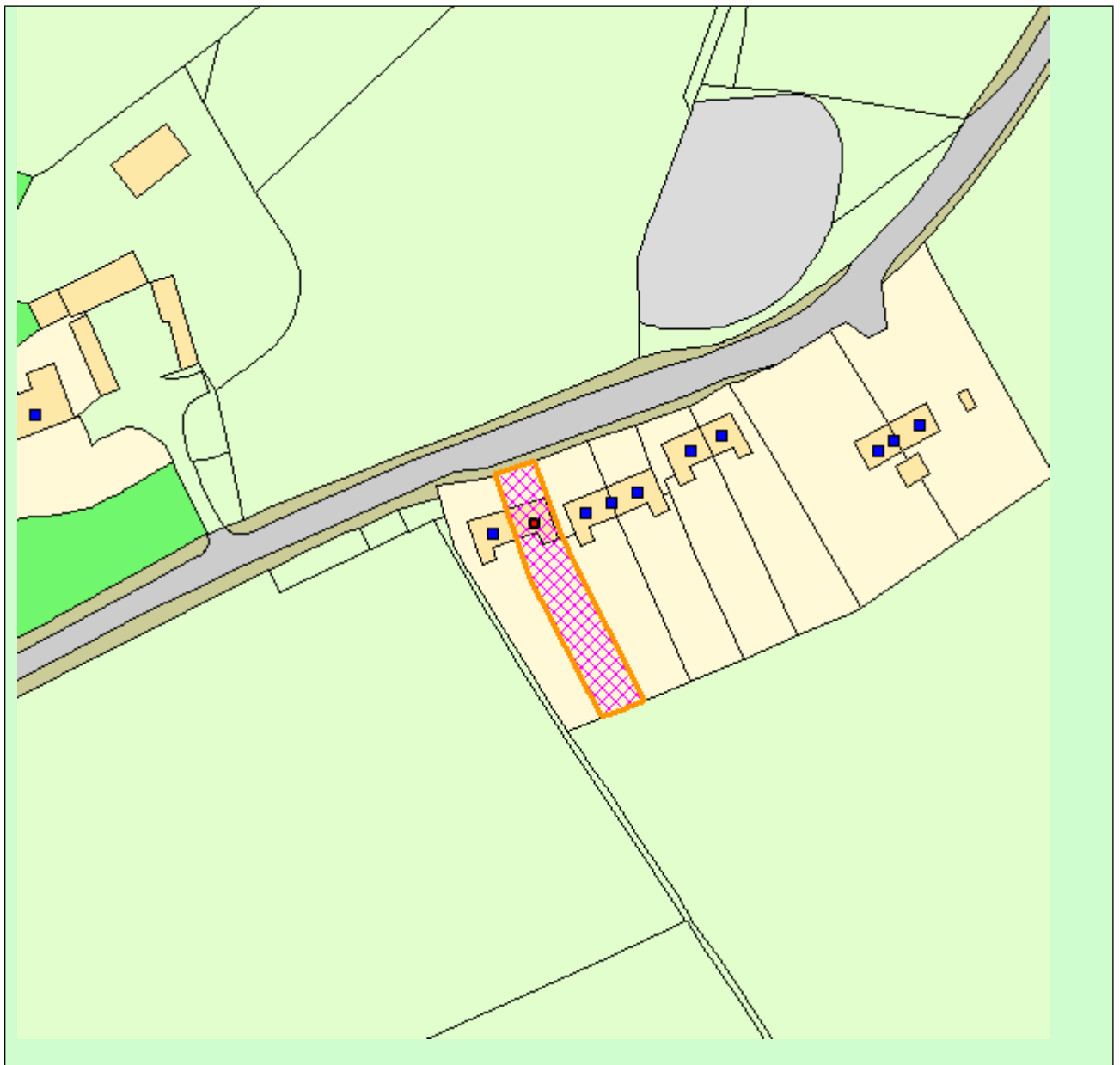
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix 1

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2016) (Not to scale).

Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location plan	DRG 001		17.10.2016	Approved
Plans - Block plan	DRG 002		17.10.2016	Approved
Plans - Existing floor plans and elevations	P200		17.10.2016	Approved
Plans - Substitute proposed floor plans and elevations plan	P201	Rev B	09.12.2016	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.