

Report to **Planning Committee**
Date **2 March 2022**
By **Director of Planning and Environment**
Local Authority **Chichester District Council**
Application No. **SDNP/21/03746/HOUS**
Applicant **Mr & Mrs Grew**
Application **Rear two storey extension and alterations.**
Address **48 Lavant Down Road
Mid Lavant
Chichester
PO18 0DJ**

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: Applicant is an Officer of the Council

Planning permission is sought to erect a two-storey extension to the rear of 48 Lavant Down Road. The property is a modern three bedroomed semi-detached dwellinghouse situated in the Lavant Settlement Policy Area. Within the locality there are many examples of similar two-storey extensions. The proposal is not considered to have a harmful impact on the amenities of the occupiers of nearby residential properties or on the character and appearance of the immediate area and the wider South Downs National Park. The proposal complies with both local and national planning policy and is recommended for conditional approval.

1.0 Site Description

- 1.1 Lavant Down Road is a late 20th century residential development situated to the north of Lavant within the Lavant Settlement Policy Area and the wider South Downs National Park. The immediate area consists of modern semi-detached brick-built properties which are of a similar style, age and construction many of which benefit from extensions.
- 1.2 The site is a two-storey semi-detached dwellinghouse with an integral garage. The property has brown brick walls at ground floor with hanging tiles above, white casement windows and a concrete tiled roof. The rear garden is surrounded by 1.8-metre-high fencing and established planting with neighbouring gardens to each side and to the rear.
- 1.3 The immediate neighbouring property, 50 Lavant Down Road sited to the east is attached. This property has 3 windows to the rear elevation. The closest window serves a bathroom with the remaining windows serving the first-floor landing and a bedroom.

69 Springfield Close, a two-storey property lies to the west. There are no windows in the east (side) elevation facing into the site which are likely to be impacted by the proposal.

2.0 Proposal

- 2.1 This application seeks permission to erect a two-storey rear extension measuring 6.92 metres wide, projecting 3.89 metres from the rear elevation, with eaves heights of 4.2 and 4.8 metres and a total ridge height of 7.53 metres. The proposed extension would project 1.90 metres further than the neighbours existing single storey rear extension.

3.0 Relevant Planning History

- 3.1 No relevant planning history.

4.0 Consultations

4.1 Parish Council Consultee

No comments received.

4.2 CDC - Environmental Strategy

Bats:

The Phase 1 daytime bat survey (July 2021) concluded a negligible potential to support roosting bats overall and therefore did not recommend any further surveys. However, the lighting scheme for the site will need to take into consideration the presence of bats in the local area. The scheme should minimise potential impacts to any bats using the trees, hedgerows, and buildings, especially around the northern boundary of the property, by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Hedgehogs:

Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.

Nesting Birds:

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

We would like a bird box to be installed on the extension/and or tree within the garden of the property.

4.3 Environment Agency (STAT)

No comments received.

5.0 Representations

5.1 No third-party representations received.

6.0 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

Other plans considered:

- Lavant Neighbourhood Development Plan 2016-2031

The development plan policies and other material considerations considered 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.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 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), updated July 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

- NPPF Section 2 - Achieving sustainable development
- NPPF Section 15 – Conserving and enhancing the natural environment

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered relevant to this application:

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

The following policies of the Lavant Neighbourhood Development Plan are relevant to this application:

- Policy LNNDP2 – South Downs National Park
- Policy LNNDP5 – High Quality Design
- Policy LNNDP8 – Dark Night Skies
- Policy LNNDP14 – Landscape Character and Key Views

Partnership Management Plan

7.4 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies, and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3

8.0 Planning Assessment

8.1 The main issues with this proposal are:

- The Principle of Development
- Design
- The Impact on residential amenity
- The impact on the South Downs National Park

Principle of Development

8.2 The site lies within the settlement policy boundary where the principle of extending and altering dwellings is considered acceptable.

- 8.3 Policy SD31 of the South Downs National Park Local Plan (SDNPLP) is primarily concerned with preventing the loss of small and medium dwellings within the park. Development proposals for extensions to existing dwellings will be permitted where the Gross Internal Area (GIA) of the existing dwelling (the residential unit that existed on 18th December 2002) does not increase by more than approximately 30%. In addition, the policy requires that proposals are not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy while respecting the established character of the local area.
- 8.4 The increase in GIA being proposed equates to 32.08%. The proposal does not result in the loss of a medium sized home within the park and is considered to comply with the criteria of policy SD31. To ensure future compliance with the policy it is recommended that permitted development rights are removed to prevent the further extension of the property outside of the control of the local planning authority.

Design

- 8.5 The proposal consists of a two-storey rear extension projecting from the rear elevation of bedroom 1 to extend both bedrooms 1 and 3 to improve the functionality of the first-floor layout and provide a home office/study.
- 8.6 The works are confined to the rear of the building and will not be particularly prominent from any public vantage points. Any views of the proposed extension will be mitigated by it being set against a backdrop of the existing dwelling. It is proposed to condition materials to be used in the construction of the extension to match those of the existing property.
- 8.7 During the planning process negotiations have resulted in the extension being stepped down from the ridge line and the side elevations being pulled in to reduce the scale and massing of the addition. The proposal is considered to be appropriate in size, scale and design to the host building and will contribute to the local distinctiveness of this residential area of Lavant.

The Impact on residential amenity.

- 8.8 There are no openings in the side elevations of the proposed extension. The proposal complies with The Chichester District Design Guidelines for Alterations to Dwellings and Extensions. The maximum depth to which a rear extension will be favourably considered is generally determined by a 45-degree angle taken from the mid-point of the nearest first floor habitable windows. The proposal complies with the guidelines and it is not therefore considered that the two-storey extension would have any adverse impact on the amenity value of the adjoining property
- 8.9 Due to the design and siting of the dwellinghouse and the established screening the proposal is not considered to have a detrimental impact on the amenity of the neighbouring properties. The proposed extension is considered to be subservient to the host dwelling and there would be minimal impact to neighbouring amenity as a result.

The impact on the South Downs National Park

- 8.10 The two-storey rear extension will be visible from public viewpoints in Springfield Close to the south west of the site. In this residential location, where modern two-storey dwellinghouses dominate the street scene development of this nature is commonplace.
- 8.11 The properties in Lavant Down Road are of a modern uniform appearance, constructed of red brick with tile hanging to the first floor and concrete tiled roofs. Due to the size and design the extension would appear in keeping with the character and appearance of the host building. Any visual impact would be mitigated by the use of similar materials. The proposal would not detract from the visual amenity of the surrounding area or the wider South Downs National Park.
- 8.12 The proposal will deliver ecosystems services including the provision of a bird nesting box within the garden of the property. Therefore, the proposal would comply with SD2 of the South Downs Local Plan.

Nitrates

- 8.13 It should be noted that although the site is within the Chichester Harbour Fluvial Catchment area the proposal does not result in a net increase in a new dwelling and screening is not therefore required.

9.0 Conclusion

The proposed development is considered to accord with national and local planning policies and approval is recommended.

10.0 Reason for Recommendation and Conditions

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 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. All external materials used in the construction of the development hereby approved shall match the type, texture, composition, colour, size and profile of those used on the existing building and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The windows of the development hereby approved shall match in all respects those of the existing building.

Reason: In the interests of visual amenity.

5. Prior to first occupation of the development hereby permitted, details of external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of night-time amenity, tranquillity and protect and conserve the International Dark night Skies.

6. The development hereby permitted shall be carried out in accordance with the approved ecosystems services statement and retained thereafter unless details of other suitable ecosystems services proposals are otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an overall positive impact on the ability of the natural environment to contribute goods and services, in accordance with policy SD2 of the South Downs Local Plan.

7. Before the development hereby permitted is brought into use details and locations of 2 bird nesting opportunities for species such as swallows, swifts, housemartins, house sparrows and starlings shall be submitted for the approval of the Local Planning Authority. The approved detailing shall be inserted prior to the completion of the scheme and shall thereafter be left in perpetuity. Appropriate designs can be found in the publication "Designing for Biodiversity: A technical guide for new and existing buildings".

Reason: In order not to disturb nor deter the nesting of birds in accordance with the Wildlife and Countryside Act 1981.

8. Before the development hereby permitted is brought into use details and locations of 1 hedgehog nesting opportunities shall be submitted for the approval of the Local Planning Authority. The approved detailing shall be inserted prior to the completion of the scheme and shall thereafter be left in perpetuity.

Reason: In order to provide suitable nesting for hedgehogs and prevent deterrents in their nesting in accordance with the Wildlife and Countryside Act 1981

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A, C and E inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land.

11.0 Crime and Disorder Implications

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

12.0 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.

13.0 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.

14.0 Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Beverley Stubbington
Tel: 01243 534734
email: dcplanning@chichester.gov.uk

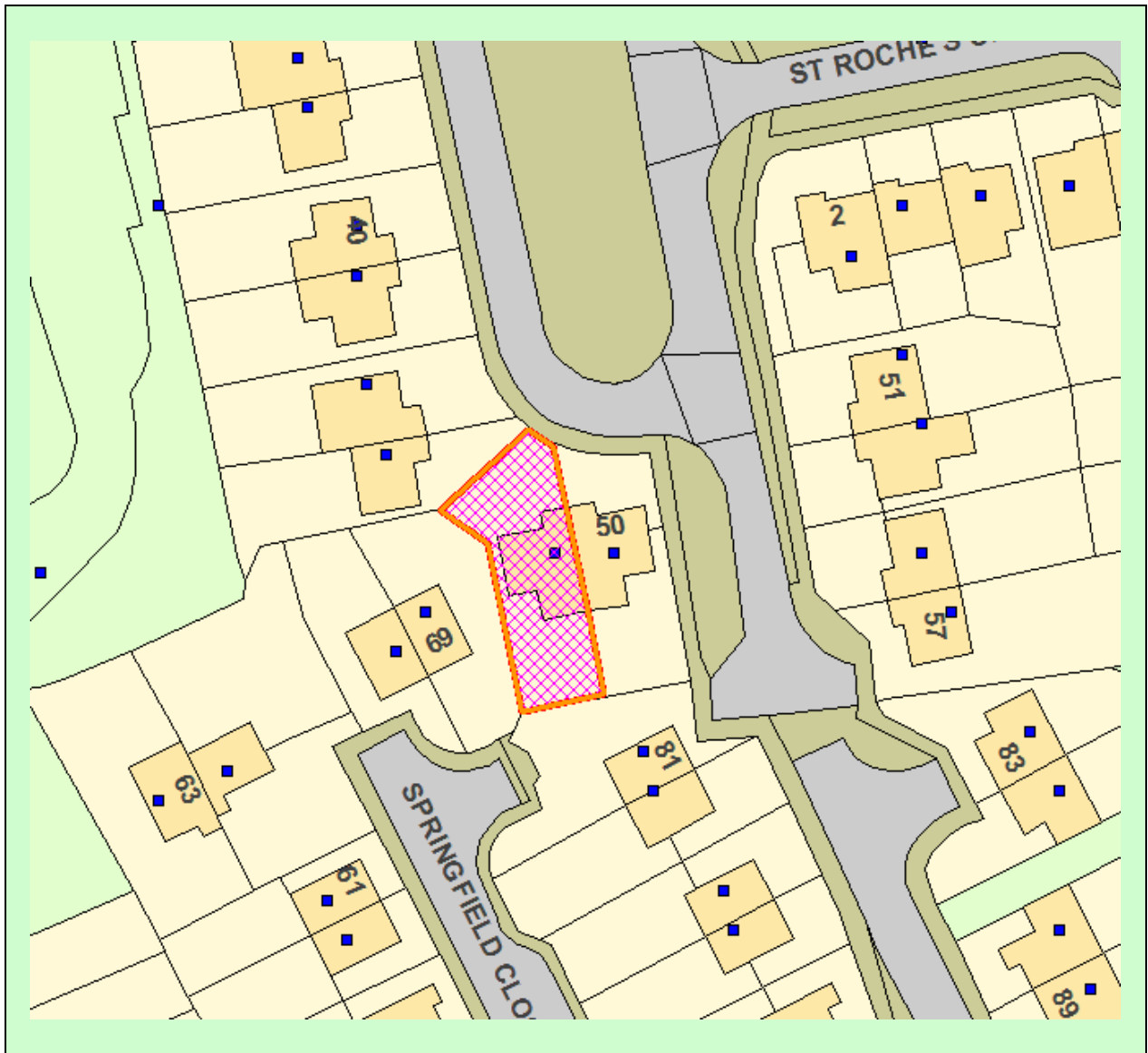
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix 1

Site Location Map



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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 Received	Status
Plans - PROPOSED LOCATION, SITE, FLOOR PLANS AND ELEVATIONS	DPA-01	Revision 04	11.01.2022	Approved

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