

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

REF NO: BN/100/19/HH

LOCATION: Orchard End
Highground Lane
Barnham
PO22 0BU

PROPOSAL: Replacement double garage with room over.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Barnham & Eastergate Parish Council

The Council raised no objection they would wish to see a condition that would ensure that the building was not ever considered as a separate permanent dwelling.

No representation from nearby occupiers.

CONSULTATIONS

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Arun District Council's Drainage Engineers:

If the proposal is set to be approved please add the condition PCENGD2 and accompanying informative INFORMD.

The agent was contacted regarding the pre-commencement condition and provided information that meant the inclusion of the condition was not necessary. Drainage then approved the plans and they have been conditioned.

POLICY CONTEXT

Outside the Built Up Area Boundary
Area of Special Control
Lidsey Treatment Catchment.

DEVELOPMENT PLAN POLICIES[Arun Local Plan 2011 - 2031:](#)

CSP1

C SP1 Countryside

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
WDM1	W DM1 Water supply and quality

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINICPLE**

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 of the Arun Local Plan.

DESIGN AND VISUAL AMENITY

The development is located to the side of the property and will be highly visible from the street scene, whilst there is shrubbery to the front of the property with the two driveways screening of the garage is limited. The existing garage is partially visible from the side of the property and will be removed with the construction of a replacement garage in the same location.

The proposal is not deemed to adversely impact upon the spatial pattern or character of the area as there are few viewpoints of the application from the street scene and as such it accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The detached garage will also be constructed and will retain 1m to the house and will be built right up to the boundary. Whilst the development is large in nature the plot is of comparable size with extensive rear gardens with the nearest residential units being approximately 30m away. The neighbouring property to the west has a similar garage with a large pitched roof including roof lights to the rear.

The proposed garage will measure 6.3m in depth, 6.5m in width with a proposed pitch height of 5.9m with an eaves height of 2.25m. On the southern pitch of there roof there will be a pair of gabled dormers that house a pair of windows each on the northern elevation there are two proposed roof lights. As a result of its siting and size, the development is not considered to result in adverse impacts upon neighbouring amenity.

To avoid the potential for added residential units on the site the application has had the condition added to ensure that the proposed use is ancillary to the use of the main dwellinghouse.

The proposed extension and detached garage are not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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:
 - Block / Site Plan - Proposed Replacement Garage
 - Ground and First Floor Plan
 - 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.

- 3 The surface water drainage shall be completed in accordance with the following documents prior to the occupation of the dwelling:

- PL101C Orchard End
- PL102A Orchard End
- T-MD-43576_TR_MD1 (4m x 3m x 0.4m)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy W DM1 of the Arun Local Plan.

- 4 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Orchard End, Highground Lane, Barnham as a dwelling and shall not be used as a separate unit of residential accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.