

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

REF NO: BN/106/21/HH

LOCATION: 41 Elm Grove
Barnham
PO22 0HL

PROPOSAL: Erection of first floor side infill extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The first floor side infill extension would alter the existing gable end roof on the western end of the building to create a flat roofed extension projecting rearwards. The extension would be a maximum 3.6m deep, 3.7m wide and a flat roof with a height of 2.9m. It would have a render side elevation (to match existing building render), a tile-hung rear elevation and a single ply membrane flat roof.
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RELEVANT SITE HISTORY

EG/12/15/NMA	Application for a non-material amendment following a grant planning permission EG/92/14/HH relating to a smaller scheme overall, additional to existing property of one bedroom & en-suite to 1st floor. Dining room addition (less than originally permitted). Existing rear dormer window to be altered & North West elevation (ground floor) to display two floor to ceiling windows.	Approve 24-02-15
EG/92/14/HH	First floor to be enlarged over ground floor dining extension to create two extra bedrooms, one with en-suite & separate access shower room. Roof space chalet bungalow will extend by infilling corner area adjacent to the kitchen to form a new dining room.	ApproveConditionally 20-01-15

REPRESENTATIONS

Barnham & Eastergate Parish Council -
No objection.

No other representations were received.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineer - summarised as:

Due to the siting and scale of the application (at first floor level and no increase in impermeable area) no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary

Lidsey Wastewater Works Treatment Catchment Area

WSCC Mineral Consultation Area

Singleton and Cocking Tunnels SAC HRA Buffer

DEVELOPMENT PLAN POLICIES

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

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
QESP1	QE SP1 Quality of the Environment

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design

[POLICY ES5](#)

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

KEY ISSUES

The key issues in the determination of this application are as follows:

- Impact on visual amenity of area
- Impact on residential amenity of neighbouring occupants
- Impact on Singleton and Cocking Tunnels Special Area of Conservation (SAC)

SITE & CONTEXT

The site consists of a detached chalet bungalow, on the northern side of Elm Grove, near the junction with Downview Road. The building is constructed with white render elevations, grey roof tiles. The property has a paved front driveway, an integrated garage, and is enclosed to the frontage with hedging, brick pillars and metal gates. At the rear the property has a garden with trees at the end.

VISUAL AMENITY

Policy D SP1 of the Arun Local Plan (ALP) states development should reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, residential amenity impact and scale. ALP policy D DM4 sets out requirements for extensions and alterations to buildings, including that they should; sympathetically relate to and visually integrate with the building, be visually subservient to the main building, if the area is characterised by gaps between buildings at first floor then any first floor extensions maintain a 1m gap to the side boundary, and that extensions and alterations do not compromise the established spatial character or pattern of the place.

Policy ES5 of the made Barnham & Eastergate Neighbourhood Plan (2014) relates to design quality. The draft policies of the emerging B&E NP 2 (at Reg. 17 stage) also hold material weight in the determination of applications in this area now; and policy ES5 is saved but with amended wording to reflect the new B&E Design Guide. The BNEG Guide 2021 provides detailed guidance for the area on materials and extensions etc.

Section M of the adopted ADC Design SPD (Jan 2021) provides detailed advice regarding extensions including; "Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design. In addition it states, "The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable (Figure 274)." In particular, with respect to side extensions, the SPD advises that side extensions should be set back from the front building line to maintain subservience, should maintain gaps between buildings by keeping extensions at least 2m from neighbouring buildings, should be set down from the existing roof ridge line, and responds to existing building design in terms of roof pitch, and uses complementary and integrated materials and elevational design. In respect of roof extensions, the SPD advises that "Roof extensions should be located in discreet positions on rear elevations wherever possible. They will be unacceptable on front elevations in Conservation Areas or other sensitive street scenes. Alterations to the roof profile should not detract from the character and appearance of the dwelling or wider area in any case."

The submitted drawings indicate that the proposed first floor/roof side extension would be constructed in materials (render and tile-hung elevations) which would match the existing building and would thus sympathetically relate to and visually integrate with the host building. A planning condition can be applied requiring materials of the new extension to match those of the existing building. The scale of the proposed addition would appear visually subservient to the main dwelling. The positioning of the extension, being set back from the front building line behind the existing gable end roof, would also assist with it maintaining visual subservience. The proposals would also maintain a gap of over 1m to the side boundary with the neighbouring property (no. 40) and over 2m to this neighbouring property's nearest elevation, thus maintaining the gaps between buildings. All of these aspects accord with the objectives of ALP policy D DM4 and the ADC Design SPD.

However, the extension would not be set down from the existing main ridge line (it would align) and would not respond to the existing building design in terms of roof pitch having a flat roof rather than pitched and altering the existing gable end roof form and roof profile to this part of the building. In this respect, the proposals would not accord with the ADC Design SPD. The design would result in a rather box-like flat-roofed element which is not very attractive in design terms, does not reflect the existing elevational design, and is less preferable to the existing gable end roof form in terms of impact on the appearance of the building. In respect of its massing, design and form, it would fail to integrate well with

the appearance of the existing property, and in this respect would fail to comply with ALP policy D DM4 (a).

However, the extension being located behind the existing gable end roof it would mainly be visible in only private views from the rear. It would not be readily visible in public views from within the street scene when directly looking toward the front of the property and so would not affect this elevation or the existing symmetry of the frontage of the building in these views. The extension would be visible in some street scene views from the western side of the property looking eastwards. However, on balance, given the small scale of the extension relative to the building and only being visible in some side views, the impact on these views would not be so visually harmful to the overall street scene and visual amenity of the area nor detract from the character and appearance of the wider area to such a degree so as to warrant a refusal.

As such, the proposals would have, on balance, an acceptable impact on the visual amenity of the area, broadly in accordance with ALP policies D SP1, D DM1 and D DM4 and in broad accordance with the objectives of the ADC Design SPD.

RESIDENTIAL AMENITY

Policy QE SP1 of the Arun Local Plan requires development contributes positively to the quality of the environment and ensures development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development has a minimal impact to users and occupiers of nearby property/land e.g. by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

NPPF para 127(f) requires decisions to create places with a high standard of amenity for existing and future users.

The ADC Design SPD sets out amenity requirements, including the 25 and 45 degree tests for daylight loss and minimum separation distances to avoid overlooking etc.

The proposed first floor/roof side extension would be located on the western side of the application property, closest to no.40 Elm Grove. It would be positioned primarily to the side of no. 40 with only a small part projecting minimally beyond the front elevation of no.40. This neighbouring property is a bungalow with no side facing windows at ground floor level. As such, the proposed extension would have negligible or no impact on the outlook, light or privacy levels to this neighbouring property.

The residential amenity of neighbouring occupants would be maintained in accordance with ALP policies QE SP1 and D DM1, the NPPF and the ADC Design SPD.

ECOLOGY

The site is located within the Singleton and Cocking Tunnels SAC 12k Buffer.

Strategic policy SD10 of the South Downs National Park Local Plan states that:

1. Development proposals on greenfield sites and sites that support or are in close proximity to suitable commuting and foraging habitat (including mature vegetative linear features such as woodlands, hedgerows riverine and wetland habitats) within the following ranges as shown on the Policies Map, should have due regard to the possibility that Barbastelle and Bechstein's Bats will be utilising the site. Such proposals will be required to incorporate necessary surveys and ensure that key features (foraging habitat and commuting routes) are retained, in addition to a suitable buffer to safeguard against

disturbance.

a) 6.5km: Key conservation area - all impacts to bats must be considered given that habitats within this zone are considered critical for sustaining the populations of bats within the SACs; and

b) 12km: Wider conservation area - significant impacts or severance to flightlines to be considered.

The policy does not have a threshold for any particular scale or type of development so it needs to be considered for all types of development within the Buffer area. The purpose of the policy requirement of the 12km wider buffer zone is to ensure that commuting routes for bats are not harmed - it is conceivable that even a small extension to a house immediately adjacent to bat commuting habitat could cause harm, for example through disturbance and light pollution.

The proposed extension would be small scale and would contain no windows or rooflights. As such, was concluded not necessary to consult Natural England or the Council's Ecology Officer as the proposals would have no impact on the SAC Buffer area.

SUMMARY

The proposals would have an acceptable impact on visual and residential amenity and the Singleton and Cocking Tunnels SAC Buffer zone and are deemed to comply with the NPPF and relevant Development Plan policies. The application is therefore recommended for approval, subject to the following conditions;

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.

CIL DETAILS

This application is not CIL liable as it relates to minor householder development under 100sqm in additional floor area.

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:

- Proposed Elevations (Drawing Number -05)
- Proposed Plans (Drawing Number -04)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4 and QE SP1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls of the extension hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity in accordance with policies D SP1, D DM1 and D DM4 of the Arun 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.