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

**REF NO:** BN/106/22/HH

**LOCATION:** 17 Bateson Way
Barnham
PO22 0FL

**PROPOSAL:** Single storey rear extension.

## SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to erect 1 No. single storey rear extension that is approx. 5.4m in width, 3.94m in depth and 3.9m in height.

## REPRESENTATIONS

Barnham & Eastergate Parish Council - No Objection.

No representations from nearby occupiers.

## CONSULTATIONS

**CONSULTATION RESPONSES RECEIVED:**

Arun District Council Drainage Engineers - No response.

Environmental Health - No Objection subject to 2 No. conditions and 1 No. informative to be added to address suspected land contamination.

OFFICER COMMENTS

Environmental Health - Comments noted, the proposal is a minor development that is or is close to being Permitted Development. Therefore, conditions advised by Environmental Health are not considered necessary or reasonable.

**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 |

Barnham & Eastergate Neighbourhood Plan 2019 Quality of desigh
POLICY ES5

**PLANNING POLICY GUIDANCE:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

## CONCLUSIONS

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours, and the locality.

Policy D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details.

Policy ES5 of the Barnham and Eastergate Neighbourhood Development Plan (BENP) is concerned with the quality of design and states that new residential developments must be of high-quality design and will only be permitted where they conserve and enhance landscape character by demonstrating that they are informed by landscape character, reflecting the context and type of landscape in which the development is located.

Arun has adopted a Design Guide which provides detailed guidance that helps to raise design standards across the district. Section M states that development should respond to the distinctiveness of their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours. Section M also illustrates the '60- and 45-degree rules'. These rules refer to the 60- and 45-degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight. The 60-degree rule specifically considers single storey rear extensions.

DESIGN AND VISUAL AMENITY

This proposal is for a single storey rear extension that is approx. 5.4m in width, 3.94m in depth and 3.9m in height. It features a pitched roof design with 2 No. rooflights and has an eaves height of approx. 2.4m. The rear elevation of the extension features 2 No. new floor to ceiling windows and the North (side) elevation features 1 No. set of glass doors. The extension is minor in scale and would consist of materials that match the existing dwelling, resulting in a visually subservient and integrated design. The proposal would occupy a significant portion of the rear garden space, reducing the depth of a large section of the rear garden to 7m which is lower than the minimum 10.5m recommended depth in Section M of the Arun Design Guide. However, there remains a significant portion of the rear garden that remains usable and potentially enjoyable. The reduction of rear amenity space remains acceptable.

The proposal is sited to the rear of the dwelling and would not be visible from the wider street scene. As such, it will have no impact on the wider street scene. The design of the extension reflects the character of the host dwelling and therefore by extension, the locality, despite not being visible in the wider landscape.

The proposal is compliant with relevant Development Plan policies D SP1, D DM1(1)(14) & D DM4(a)(b) of the Arun Local Plan and Policy ES5 of the BENP.

NEIGHBOURING RESIDENTIAL AMENITY

Given the scale, siting, and separation distances from neighbouring dwellings, there is no intersection of any 45- degree light accessibility lines or 60- degree sightlines from the rear of any neighbouring dwellings. As such, it will have no significantly adverse impacts by way of overshadowing or overbearing on any neighbouring dwellings or properties.

The proposal features 3 No. new openings, all of which are at ground floor level and look out to the rear private amenity space and are met by an approx. 1.8m high boundary fence. They will not give rise to any adverse impacts by way of overlooking on any neighbouring properties.

By virtue of not being significantly overbearing, overshadowing, or overlooking on any neighbouring properties, the proposal is compliant with relevant Development Plan policies D DM1(3) & D DM4(c) of the Arun Local Plan and Section M of the Arun Design Guide.

SUMMARY

The proposal is compliant with relevant Development Plan 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.

## CIL DETAILS

This application is not CIL Liable.

## 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 Single Storey Rear Extension (Dwg No. BH/BSW/04).
- Site Plan (Submitted 02/08/22).

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 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.