

REPORT UPDATE

Application No: BN/10/15/HH

Reason for the Update / Changes

Reason for Update/Changes: Further comments from Bersted Parish Council

Officers Comment:

The Parish wish to re-emphasise that the main issue they had with this application was the privacy issue for the neighbours and would ask that this point be made if at all possible during the discussion of the item.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

BN/10/15/HH

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

REF NO: BN/10/15/HH

LOCATION: Catbells
Lake Lane
Barnham

PROPOSAL: Single storey extension to front elevation to provide enlarged entrance hall & utility room, loft conversion with 2no. pitched roof dormers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposed porch extension with hipped roof to front. With two proposed rear dormer windows with gable end roof treatments. The extensions are to be materials to match existing.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Steeply set up from the road but predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m close boarded fence to all boundaries other than front which is formed of a hedge.

report

SITE CHARACTERISTICS

Two storey detached property with shallow gable roof. Property has a forward facing two storey gable element with integral garage. Driveway to front and good sized garden to rear.

CHARACTER OF LOCALITY

Semi-rural, comprises mainly of detached two storey dwellings set back from the road.

RELEVANT SITE HISTORY

BN/46/86	Extension at first floor with pitched roof over existing garage to form bedroom	ApproveConditionally 26-01-1987
BN/27/89	Single Storey extension to Lounge at rear of property	ApproveConditionally 02-10-1989
BN/5/98	Single storey extension to kitchen and pitched roof to existing single storey structure	ApproveConditionally 30-06-1998

REPRESENTATIONS

Representations received:

Barnham Parish Council

The Parish objects to the application in respect of the proposed dormer windows which as well as causing privacy issues for adjoining properties in Halliford Drive contravene the Neighbourhood Plan policy ES6: Contribution to local character. The rest of the proposed application details are acceptable.

Comments on Representations received:

The dormer windows could be carried out under permitted development without the need for permission. However, it is not considered that the windows in the dormers would increase the level of communal overlooking to neighbouring gardens to an unsatisfactory level. The Parish Council have objected due to conflict with policy ES6 of the Neighbourhood Plan. This policy states that new development should contribute to the character of the two villages. However the explanation for the policy states "The integration of new buildings into the context in which they are located is important." This suggests that the policy is intended to address wholly new buildings rather than extensions to existing buildings.

In terms of local character, given the proposed dormer windows would be located to the rear of the property, it is not considered that their visual impact would be damaging to the character and appearance of the street scene.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water-

Requested informatics be imposed should permission be recommended.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOCAL PLAN

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>DEV19</u> <u>GEN2</u> <u>GEN7</u>	Extensions to existing residential buildings Built-up Area Boundary The Form of New Development
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) SD SP2 Built-Up Area Boundary
Barnham & Eastergate Neighbourhood Plan 2014		Quality of design
POLICY ES5		
Barnham & Eastergate Neighbourhood Plan 2014		Contribution to local character
POLICY ES6		

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Barnham and Eastergate Neighbourhood Plan policies will be taken into account when making a recommendation on this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built up area boundary of medium residential density. As such the principle of household extensions is acceptable.

DESIGN

The proposed front porch would site between the front elevation and the side elevation of the two storey element. It would have a pitched roof and be constructed of materials to match. Given it would be modest in size it is considered to be subservient to the main dwelling and would not harm the appearance of the street scene.

In terms of local character, the proposed dormer windows would be located to the rear of the

property, it is not considered that their visual impact would be damaging to the character and appearance of the street scene. In terms of their impact on the dwelling from the rear as they are modest in size and do not dominate the roof slope they are considered to be respectful to the character of the property and subservient to its character.

NEIGHBOUR AMENITY

The proposed rear dormer windows could be carried out under permitted development without the need for permission. However, it is not considered that the windows in the dormers would increase the level of communal overlooking to neighbouring gardens to a damaging level.

The proposed porch extension would have little impact on neighbouring properties as it is only single storey and is set away from neighbouring dwellings.

PARKING

The proposal would create a six bedroom property. As such four parking spaces would be required to meet WCSS parking standards.

The existing driveway is not being reduced significantly by the proposed porch extension and the garage is remaining in place. As such it is considered that four cars can be parked comfortably off road and the proposal is acceptable in terms of level of off street parking.

It is therefore recommended that the application be approved subject to the conditions overleaf.

HUMAN RIGHTS ACT

FOR APPROVAL

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 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 (Neutral) 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).

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 11415.01, 11415.02, 11415.03, 11415.04, 11415.05, 11422.06, 11415.07A, 11415.08A, 11415.09A and 11415.10A received 16 March 2015.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.

- 5 **INFORMATIVE:** A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- 6 **INFORMATIVE:** The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk