

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

REF NO: BN/110/21/HH

LOCATION: Shelley House
Church Lane
Eastergate
PO20 3UR

PROPOSAL: Single storey rear extension and associated alterations. This application may affect the character and appearance of the Eastergate Square Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension and undertake associated alterations. This application may affect the character and appearance of the Eastergate Square Conservation Area.
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RELEVANT SITE HISTORY

BN/111/21/L	Listed building consent for single storey rear extension and associated alterations.	
EG/45/13/DOC	Application for the approval of details reserved by conditions 3 (details of name plate) and 4 (details of replacement windows) following a grant of planning permisison EG/34/13/L	DOC Approved 26-09-13
EG/34/13/L	Application for Listed Building Consent for amendments to EG/20/13/L to provide brick support to well found in cellar, replace Crittal side door with timber door matching existing. Remove modern wrought iron stair hand rail & replace with painted timber. Remove casement & replace with matching timber window with the central mullion removed to allow escape. The priesthole in chimney recess is to be retained but enclosed by new wall. Expose 20th Century studwork on dividing wall above shop	ApproveConditionally 08-08-13
EG/20/13/L	Application for listed building consent for alterations and refurbishment along with conversion of roof space to form 1 bedroom apartment.	ApproveConditionally 21-05-13

EG/19/13/	Alterations and refurbishment along with conversion of roof space to form 1 bedroom apartment.	App Cond with S106 22-05-13
EG/18/07/	Conversion of dwelling into 3 no. 1 bed studio flats & 2 no. 1 bed self-contained flats	Withdrawn 26-04-07
EG/19/07/L	Application for Listed Building Consent for conversion of existing single dwelling to 5 no. flats and alterations to include re-construction of front elevation wall and replacement fenestrations	Withdrawn 26-04-07
BR/207/03/	2 no.2 bedroom flats on existing roof	ApproveConditionally 30-07-03
BR/328/02/	Change of use of first and second floors from redundant office space to 6no. flats.	ApproveConditionally 14-01-03
AB/93/98/	Change of use of first & second floors from residential to antique showroom.	ApproveConditionally 08-10-98
EG/58/11/DOC	Application for approval of details reserved by conditions 4 & 6 relating to EG/72/08/	DOC Refused 19-07-12
EG/14/09/L	Application for Listed Building Consent for the conversion of existing dwelling into 2 no. apartments. Conversion of roof space above existing shop into 1 no. apartment & first floor extension of existing shop to provide 2 no. apartments. Extension of existing shop & erection of 3 no. apartments & covered parking area. Improvements to existing access & service area.	ApproveConditionally 26-05-09
EG/72/08/	Outline planning application for conversion of existing dwelling into 2 No apartments, conversion of roof space above existing shop into 1No apartment and first floor extension of existing shop to provide 2 No apartments. Extension to existing shop and erection of 3 No apartments & covered parking area. Improvements to	ApproveConditionally 18-03-09

existing access & service area.

REPRESENTATIONS

Barnham and Eastergate Parish Council - No Objection.

No representations received from nearby occupiers.

Engineers (Drainage) Comments - The application is in the Lidsey Treatment Catchment and Flood Zone 2, therefore surface water drainage design should be carefully considered. Infiltration must be fully investigated.

If you are minded to approve the application please apply conditions to ensure that the development is adequately drained and does not increase flood risk elsewhere.

Conservation Officer Comments - Shelley House forms one listed building in the Elm Tree Stores shop. It is an L-shaped C18 building of two storeys and three windows on the principal elevation. The majority of the house has a painted brick elevation, whilst that part closest to the proposed extension is a mixture of brick and flint. Clay tiled roof and chimneys. The principal elevation has sash windows with glazing bars. The shop premises form the north-west wing with a modern curved shop front in old style. An area above the shop has been converted into a small apartment with access to the rear of the building via a modern wooden staircase. It is considered to be of aesthetic (fortuitous) and historical significance.

The village of Eastergate has two conservations areas, with Shelley House located in with the Eastergate Square Conservation Area. The area of Eastergate Square is more urban in its character (when compared to the other conservation area) with a close knit grouping of buildings of various styles and ages fronting the roads, reflecting the historic development of the village at a road junction. Other listed buildings are located next to, and adjoining Shelley House including The Long House, Argyll House, The White House, Old Farm Cottage and Flint House. All of which greatly contribute to the character of the area being constructed using flint, brick, painted brick/flint and clay tile or slate roofs.

In addition to the attractiveness of individual buildings and their grouping, a variety of brick and flint walling and boundary hedges contribute to the special character of the Conservation Areas.

The Proposal

The proposal is for a single storey rear extension and associated alterations. The heritage statement helpfully identifies that the works consist of:

- Single storey rear extension
- Enlarging the existing kitchen window to form a new doorway
- Blocking up the existing utility room window and external door

The single storey extension is simple in appearance and reflects the simple elevation of the listed building it is to be attached to. Whilst the gable (south) elevation with apex glazing is a little fussy, especially along with the bargeboard, I am of the opinion that, on balance, it would not cause harm to the significance of the building. Further, it would not be clearly viewed from the nearby roads due to the existing boundary walling and planting. The success of the scheme will therefore depend on materials used and the quality of the windows and doors. Details of the windows/doors should be provided for by

way of condition. This should include the design, glazing, specification, method of opening and finish, in the form of drawings and sections of an appropriate scale.

The heritage statement identifies the kitchen window will be removed, and the opening enlarged to form a doorway leading from the kitchen into the new extension. Whilst this will lead to a loss of some historic fabric, the amount is not considered to be of concern. The applicant could retain any useful material for any future repairs to the building or boundary walling. The existing external door and window from the utility room will be blocked in. This part of the listed building appears to be a much later addition and of no significance. The extension will screen this part of the building from view, which is positive.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built-Up Area Boundary
Lidsey Treatment Catchment
Asset of Community Value
Listed Buildings
Conservation Areas
WSCC Mineral Consultation Area
HRA Buffers (SD10)

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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design
[POLICY ES5](#)

Barnham & Eastergate Neighbourhood Plan 2014 Development affecting heritage assets
POLICY ES7

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1, D DM4, HER DM1 and HER DM3 of the Arun Local Plan. Also section M of the Design Guide is relevant which relates to extensions.

Barnham and Eastergate have a made Neighbourhood Plan with policy ES5 and ES7 of relevance. The proposal complies with these policies.

DESIGN AND VISUAL AMENITY

The property is a Grade II Listed detached two storey dwelling to west of Church Lane. The dwelling is constructed of painted brick with a pitched tiled roof. There is boundary treatment of flint walling and planting. The neighbouring property is the rear of Elm Tree Stores to west.

The proposals are for a single storey rear extension, blocking up the existing utility room window and external door and enlarging the existing kitchen window to form a new doorway.

Due to the siting of the extension to rear (south) elevation, it will be restricted from view from the street scene by boundary walling and planting so will not adversely impact street scene or surrounding character of area so complies with policy D DM1 of the Arun Local Plan.

The rear extension will form a dining room and has a width of approximately 2.96m nearest the house that tapers down to approx. 2.74m in width in driveway. The depth is approximately 5.78m from rear elevation. The height to pitched roof is approximately 3.41m.

The extension will have apex glazing with a low window seat to rear (south) and one new set of traditional French doors with fixed side lights to side (east) elevation. There will be one new conservation roof light.

The blocking up of the utility room window and external door and enlarging the existing kitchen window to form a new doorway is not considered to cause adverse harm to the existing building fabric so is acceptable and complies with HER DM1 of the Arun Local Plan.

Arun recently adopted a Design Guide. It states development should be subservient to the main dwelling and this complies in terms of size and scale. It states rear extensions can however have significant impacts on neighbouring amenity in terms of privacy and overshadowing. Due to single storey height and existing boundary fence to west reduces impact so is acceptable.

The materials are in-keeping with existing dwelling and consist of red brick walls, slate roof tiles, white timber windows and doors so complies with policy D DM1 and D DM4 of the Arun Local Plan and Policy ES7 of the Barnham and Eastergate Neighbourhood Plan.

FLOOD RISK

The site is located within Flood Zone 2. The applicant has provided a Flood Risk Statement and has agreed to a pre-commencement Drainage condition.

RESIDENTIAL AMENITY

The rear extension has a width of approximately 2.96m nearest the house that tapers down to approx. 2.74m in width in driveway. The depth is approximately 5.78m from rear elevation. The height to pitched roof is approximately 3.41m. Due to less than 1m remaining to western boundary there is increased risk

to overshadowing or overbearing effect to neighbouring property to west however due to height of proposal and minimal size there is no adverse harm caused.

Due to new apex glazing with a low window seat to rear (south) there is increased risk to overlooking to neighbouring property to side (west) however existing boundary fence and being at single storey there is no adverse harm caused.

There will be new traditional French Doors with fixed side lights to side (east) however due to existing boundary wall and no neighbours due to road there is no harm to overlooking to east.

Due to one new conversation roof light proposed being at high level there is no increased risk to overlooking to west so is acceptable.

Due to the siting and design of the extension, it is not considered to result in harm upon amenity by way of overlooking, overshadowing or overbearing and accord with D DM1 and D DM4 of the Arun Local Plan and ES5 of the Neighbourhood Plan.

IMPACT ON CONSERVATION AREA

The property is in the Eastergate Square, Eastergate Conservation Area. Due to siting of the rear extension it will have restricted views from street scene so it will not adversely impact the Conservation Area. Due to the size and scale of the extension there is no adverse impact and the materials integrate with existing dwelling so complies with Policy HER DM3 of the Arun Local Plan.

Para 190 of the NPPF requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage assets due to its minimal size and in-keeping design so does not adversely impact the Conservation Area.

Under Para 196 of the NPPF the development will lead to no harm to the Conservation Area due to its size, design and restricted views from street scene.

IMPACT ON LISTED BUILDING

The property is a Grade II Listed dwelling. Due to the size and siting of rear extension and internal alterations it is not considered to harm the architectural and historical integrity and detailing of a Listed Building's exterior so complies with policy HER DM1 of the Arun Local Plan.

Para 190 of the NPPF requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage assets due to its minimal size and in-keeping design so does not harm the Listed Building.

Under Para 196 of the NPPF the development will lead to no harm to the Listed Building due to its size, design and restricted views from street scene

Bats

The site is within 12km of the Singleton and Cocking Tunnel SAC. The addition to the building should not harm bat foraging in the area but an informative will be added regarding bat protection.

SUMMARY

The proposed development complies 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.

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 Plans, Elevations, Location and Block Plan 17144-01 C
Design and Access and Heritage Statement
Flood Risk Assessment

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 3 Details of the materials and finishes of the external walls and roofs of the extension shall be submitted to and approved in writing by the Local Planning Authority. The materials so approved of the existing building.

Reason: In the interests of amenity in accordance with policies D DM4 of the Arun Local Plan.
- 4 The new joinery work shall match exactly the materials, dimensions finish and profiles on the existing original work.

Reason: To ensure that the internal and external appearance of the building is satisfactory in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 5 The openings and windows hereby permitted shall match in all details those existing, particular care being taken to reproduce the style and material of the timber window frames, the arrangement of glazing bars, the set-back of the frames from the external wall face.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 6 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 7 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.
- 8 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.
- 9 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats

etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.