

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

REF NO: BN/15/13/

LOCATION: 6 Halliford Drive
Barnham

PROPOSAL: Ground floor front and rear extensions and other minor refurbishment works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The extensions are to the front on the western side and to the rear on the eastern side. The front extension projects forward of the main front building line by 3.9m (but only 2.6m from the building line of the existing forward projecting element of the frontage). This extends and allows the existing garage to be pushed forward whilst also extending an existing bedroom. This extension is a total of 6.5m wide.

The rear extension projects backwards by 4.4m with a width of 6.5m. It provides a new dining room and snug at the rear of the existing lounge. As part of this extension an existing 2m deep part utility room, part sun lounge will be demolished.

The proposals also include a new roof above the existing forward projection. This and the other roof elements will be to the same height as the existing roof. Finally, there are certain fenestration changes. It should be noted that the proposed windows in the roof of the rear extension are high level sky lights to provide additional light to the ground floor extension.

The application was amended during the determination process in that the proposed works to the rear boundary fence were removed. This was due to the fact that the fence is owned by the Council property to the rear and it was considered preferable easier to deal with this by a separate application.

TOPOGRAPHY

Predominantly flat.

TREES

There are some garden trees to the rear of the dwelling, some of which are clearly visible from the property behind but not from Halliford Drive or Goodacres to the rear. Some of these may need to be pruned but there is 4.3m from the extent of the rear extension to the nearest large tree and it is not considered that this or any of the other

significant trees on the rear boundary will need to be removed.

BOUNDARY TREATMENT

The property is open fronted. The boundary to number 4 is a 1m high brick wall to the front and a 1.6m high fence to the rear. There is an approx. 1m high fence at the front to number 8 but this increases in height to 2m at the rear. In addition to the latter, no. 8 has a pitched roof detached garage in its rear garden which sits adjacent to the fence and is 2.2m high to the eaves. To the rear, there is a 2.4m high fence along the boundary. This includes a 0.4m trellis section at the top.

SITE CHARACTERISTICS

This is a part brick, part white rendered pitched roof bungalow built to the same building lines as 4 & 2 to the northwest. It has an integrated garage and an existing front projecting element comprising part dining room and part open porch. There is a short garden to the rear of between 9m and 15m in length.

CHARACTER OF LOCALITY

This is a privately maintained residential area comprising predominantly of traditional bungalows but also with some two storey dwellings (utilising dormers in their roofs) such as those next door at 2 & 4.

The neighbour at number 4 has a short front porch and there are several houses further along Halliford Drive that have been designed to have front projecting elements.

To the rear of the site there is a large Council owned flatted development set in its own grounds.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Barnham Parish Council

Barnham Parish Council - no objection.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Council's Arboriculturist

Consultations responses received:

Southern Water - request an informative regarding connections to the public sewerage system.

Council's Arboriculturist: no comments recieved.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site: Within built up area boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19	Extensions to existing residential buildings
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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

Policy DEV19 requires that extensions be visually subservient, sympathetically relate to and visually integrate with the existing dwelling. Extensions must also avoid adverse impacts to neighbouring properties and must not compromise the established street pattern.

The extension to the rear has a significant roof form particularly when viewed from the southeast; however there is no impact to the neighbouring property due to the existing 2m high fence and the detached garage on the neighbour's side of this fence. The proposed roof whilst gable ended will also slope away from the neighbour's side thus preserving the evening sun light that they are currently afforded.

The front extension does project forward of the neighbouring property's front building line by 3.8m but this hipped extension is not considered to have a materially adverse impact on the streetscene nor will it impinge on a 45 degree angle drawn from the centre of the neighbours front ground floor window. It is noted that there is a 2.5m gap between no. 6 and no. 4 and this helps to minimise any impact.

There is a change to the position of a window on the south east flank wall but this will be shielded by the existing boundary treatment as per the existing situation.

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: "Drwg - 01 Location Map & Block Plan"; "Drwg - 02 Site Plan as Proposed Illustrating Proposed Roof Plan" Rev B; "Drwg - 03 GF Plan as Existing"; "Drwg - 04 Elevations as Existing"; "Drwg - 05 GF Plan as Proposed"; "Drwg - 06 Elevations as Proposed"; "Drwg - 10 GF Plan as Proposed"; "Drwg - 18 Site Plan as Existing Illustrating Existing Roof Plan"; "Drwg - 19 Block Plan as Proposed Illustrating Roof Plan" Rev B; and, "Drwg - 20 Block Plan as Existing Illustrating Roof Plan" Rev A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 and DEV19 of the Arun District Local Plan.

- 3 With the exception of the small section of flat roof adjacent to the roof light, the materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the existing building.

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

- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development - please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.