

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

REF NO: BN/28/13/

LOCATION: Little Meadow
Church Lane
Barnham

PROPOSAL: Proposed extensions and alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The extensions/alterations consist of the following:

(1) Two storey side extension on the north side to provide new kitchen, playroom, utility room & disabled wet room on the ground floor and 3 new bedrooms, an office, dressing room & 2 new bathrooms on the first floor. The two side extension extends forward of the front building line by 1m. 1 bathroom window is proposed on the flank overlooking Primrose Cottage;

(2) Raising of the height of the dwelling from 6.4m to 8.9m changing it from 1.5 storeys to a true 2 storey dwelling. The new roof is hipped at the sides;

(3) The filling in of the existing open south western first floor corner of the dwelling (3.5m by 1.75m); and

(4) The existing integral garage is lost as a result of the extension.

It should be noted that the extra accommodation on the first floor is partly achieved by altering the existing layout and from the creation of a proper first floor as opposed to the previous loft space with dormers arrangement. Two of the six bedrooms are singles.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

1m high wall with bushes/small trees to the

front. Part 1.2m/part 2m high fence with vegetation to the boundary with Primrose Cottage.

SITE CHARACTERISTICS

This is a one and a half storey detached dwelling where the first floor accommodation is within the loft and there are front & rear dormers. There is a flat roofed attached garage on the northern side and part of the rear includes a conservatory. Red/Brown bricks and tiles. The current house appears to be empty and has a tired appearance. The house is set back from the road by 5-6m. There is space in the front garden for at least 3 cars.

CHARACTER OF LOCALITY

The site is located outside of the built-up area alongside a narrow rural road which is generally bordered by hedgerow, low flint walling and open fields and countryside. There is an established cluster of buildings of a mixture of designs and scales within the immediate vicinity of the site.

Primrose Cottage to the immediate north has a similar design/appearance with first floor accommodation in the roof. However there are other more traditional two storey dwellings in the streetscene particularly further to the east.

Primrose Cottage has a pitched roof garage on the side adjacent to the site and this is located within a 6m wide gap between Primrose Cottage and the affected boundary. There is a ground floor conservatory and some other windows on the southern flank wall of the neighbour. There is no neighbouring dwelling to the south of the application site.

RELEVANT SITE HISTORY

BN/13/89	Granny annexe & car port	App Cond with S106 10-10-1989
BN/20/94	Renewal of unimplemented permission BN/13/89 for granny annexe and car port	App Cond with S106 28-11-1994
BN/5/54	Bungalow and garage	ApproveConditionally

		13-10-1954
BN/5/54/B	House and garage	ApproveConditionally
		20-09-1961
BN/14/74	Extension	Approve
		30-10-1974
BN/24/83	Removal of existing conservatory and erection of new enlarged conservatory	ApproveConditionally
		25-01-1984
BN/5/54/D	Car port	Permit'd Devel

None.

REPRESENTATIONS

Representations received:

Barnham Parish Council - no comments recieved.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

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

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site: Outside built up area boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN7</u>	The Form of New Development
	<u>GEN12</u>	Parking in New Development
	<u>DEV19</u>	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 conflict with relevant Development Plan policies in that the extension would not be visually subservient to the host dwelling contrary to DEV19 but 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 material considerations that warrant a decision, namely that the extension 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.

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 extensions/alterations are considered to be large in scale and the raising of the roof height is not considered to be a subservient extension. However, due to the large gap to Primrose Cottage and the ability to obscure glaze the proposed first floor flank window, there is not considered to be any impact on the neighbouring property. Furthermore, again given the gap to the neighbour, the set back from the road and the lack of any neighbouring dwellings to the south, the changes to the house are not considered to have a significant or detrimental impact on the streetscene. The character of the area is semi-rural and this will not change and there are also 2 storey dwellings further along Church Lane. It should also be noted that the current dwelling has a tired appearance and it is considered that the alterations will result in beneficial changes to its appearance.

There is currently only 1 rear window serving a bedroom but the proposal will result in two rear bedroom windows and two rear bathroom windows. However, there is not considered to be any issue with these as there are no neighbours to the rear and there is a wide gap to the north to the adjacent Primrose Cottage.

There is a loss of parking as a result of the removal of the garage yet there is space for 3 cars to park off the road in the front garden thus there would be no impact on the safety and convenience of the Church Lane highway.

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: LOCATION PLAN Ref 14; BLOCK PLAN Ref 13; EXISTING GROUND FLOOR PLAN Ref 01; EXISTING FIRST FLOOR PLAN Ref 02; EXISTING FRONT ELEVATION Ref 03; EXISTING REAR ELEVATION Ref 06; EXISTING SIDE

ELEVATIONS Ref 04; EXISTING SIDE ELEVATIONS 2 Ref 05; PROPOSED FIRST FLOOR PLAN Ref 07; PROPOSED GROUND FLOOR PLAN Ref 08; PROPOSED FRONT ELEVATIONS Ref 09; PROPOSED REAR ELEVATIONS Ref 10; PROPOSED SIDE ELEVATIONS Ref 11; and PROPOSED SIDE ELEVATIONS 2 Ref 12.

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

- 3 The materials and finishes of the external roofs 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 The first floor bathroom window in the north eastern flank wall of the extension shall at all times be glazed with obscured glass and fixed to be top vent opening only.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 No windows (other than those shown on the plans hereby approved) shall be constructed in the north eastern flank wall of the side extension hereby permitted which is adjacent to the boundary with Primrose Cottage without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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 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.

- 7 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, S023 9EH (Tel 01962 858688) or www.southernwater.co.uk.