

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

REF NO: BN/32/13/

LOCATION: Saxons
33 Hill Lane
Barnham

PROPOSAL: Two storey extension to rear of existing house

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed flat roof two storey extension with viewing platform measures approximately 4.9m in width, depth of 6m with a height of 5.9m.
SITE AREA	Approximately 0.14 hectare.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has hedging approximately 1.8m in height, west side boundary ranch type fencing approximately 1.5m in height, east side boundary has hedging approximately 1.8m in height, rear boundary has hedging/tree screening 1.8m and over.
SITE CHARACTERISTICS	Two storey dwelling with red brickwork on front with blue painted windows and doors, rear elevation has render painted cream with white window frames, red tiled roof. Agricultural barn being constructed on land to west of site the subject of planning application BN/32/13.
CHARACTER OF LOCALITY	Rural location. On the southern side are ad-hoc agricultural holdings and buildings with some sporadic residential dwellings of various styles and designs on the northern side. Farm to east of site.

RELEVANT SITE HISTORY

BN/18/03/	Single storey extension to utility porch to provide sheltered entrance from rear. Two storey extension to provide extended study and further bedroom on first floor.	ApproveConditionally 30-05-2003
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BN/20/13/

Erection of agricultural barn

ApproveConditionally

18-09-2013

REPRESENTATIONS

Representations received:

Barnham Parish Council

Awaited

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Environment Agency

Consultations responses received:

Southern Water

Our initial investigations indicate that there are no public surface water sewers in the area to service the development. We request that should this application receive planning approval, an informative is attached to the consent requesting that a formal application for connection to the public sewerage system is required.

Environment Agency

No comments to make on the proposal as submitted.

Comments on Consultation responses:

Southern Water comments noted

If approved, an informative will be placed on any approval relating to connection to the public sewerage system.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

No Public Sewer

Right of Way

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
GEN3
GEN7

Extensions to existing residential buildings
Protection of the Countryside
The Form of New Development

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. 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 relate sympathetically to the host dwelling and would have an adverse impact upon the established character of the surrounding rural 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

The two storey dwelling which is sited within a rural location is sited on the southern side of Hill Lane and is set back from the front boundary behind dense hedging. The application seeks to construct a two storey extension on the rear of the dwelling with viewing area.

The dwelling which has previously been extended has a two storey pitched roof extension on the eastern side of the dwelling and a single storey pitched roof extension on the west side of the dwelling. The proposed two storey flat roof extension will be sited in the middle section of the dwelling and will project out beyond the existing extensions with a width of 4.9m, depth of 6m with a roof height of 5.9m and will create extended living accommodation at ground floor level with a bedroom and bathroom at first floor level. The flat roof area at first and second floor level will create a viewing platform with the provision of an external staircase sited on the western side of the dwelling. The roof will be set lower than the main roof height so will not be visible when viewed from the front of the site.

With regard to residential amenity there are no properties within the immediate vicinity but to the rear is the old canal and public footpath so the extension will be visible over the boundary screening to members of the public using the footpath.

The National Planning Policy Framework indicates that there should be a presumption in favour of sustainable development and confirms that good design is a key aspect of sustainable development and the development of poor design, which fails to improve the quality of an area should be refused. Policies DEV19 and GEN7 of the Arun District Local Plan require a high quality design and extensions should be subservient and relate well to existing buildings.

In this instance the two storey extension does not sympathetically relate to the existing building in terms of its rear projection and flat roof and would harm the character and appearance of the property in conflict with Paragraph 64 of the National Planning Policy Framework and Policies DEV19 and GEN7 of the Arun District Local Plan. The unattractiveness of the proposed extension is further compounded by the proposed dual balconies that appear out of character and do not visually integrate with existing architecture. The second floor balcony is considered unacceptable in principle.

It is therefore recommended to refuse the application for the following reason.

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 for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with the applicant's right to respect for their private and family life and their home. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 a neutral impact has 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

REFUSE

- 1 The two storey extension in view of its flat roof appearance and rear projection does not relate sympathetically to the host dwelling. It is further compounded by the unacceptable balcony arrangement and design which would have an adverse impact on the character and appearance of the surrounding rural area in conflict with policies GEN7 and DEV19 of the Arun District Local Plan and Paragraph 64 of the National Planning Policy Framework.

- 2 **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 with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.