

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

REF NO: BN/36/17/HH

LOCATION: Grove House
Highground Lane
Barnham
PO22 0BT

PROPOSAL: Single storey side extension & first floor rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a single storey side extension to this existing dwelling. New accommodation would be a playroom, internal store and external store at ground floor. This extension would measure approximately 4.9m by 5.6m and have a pitched roof with north east facing gable. The design would include bifold doors. Main eaves would be 2.3m although there would also be a lower eaves to a catslide element to one side. Ridge would be 4.4m which would be slightly below the eaves level of the proposed first floor rear extension.

The rear first floor extension would be above an existing rear flat roofed extension which presently has a parapet wall. This extension would be narrowed slightly so that its side wall would be in line with the main side wall of the dwelling. The first floor accommodation would be provide an enlarged bedroom for a guest with sower and WC. The extension would have a hipped roof with ridge slightly below the main ridge of the dwelling and eaves the same as the main rear roof elevation.

Proposed materials are to match existing.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Boundaries are

SITE CHARACTERISTICS

The site is a large plot and this dwelling is set in considerable grounds. It is set back from the highway and served by a lengthy drive and parking/turning area. It is well screened on boundaries by a mixture of fencing and hedging. The existing dwelling is relatively large and is cream rendered with a plain small clay tile roof.

CHARACTER OF LOCALITY

The overall character of the area is rural. The subject dwelling is one of a small cluster of dwellings which form an isolated pocket of development in the wider open countryside.

RELEVANT SITE HISTORY

BN/6/13/	Demolition of 3 No garage/storage buildings and construction of replacement garage building with 2 No Solar panels and ancillary residential first floor games room.	ApproveConditionally 21-05-13
BN/58/06/CLE	Application for a certificate of lawfulness for existing use as residential curtilage	Approve 04-12-06
EG/48/06/	Extend dining room at rear of the house into the garden (Dual Parish - see also BN/26/06/)	ApproveConditionally 23-06-06
BN/26/06/	Extend dining room at rear of the house into the garden. (Main File - Dual Parish see also EG/48/06/)	ApproveConditionally 23-06-06

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Barnham Parish Council

Barnham Parish Council raises no objection.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

The Councils Drainage & Coastal recommends a condition regarding soakaways.

Southern Water has commented regarding sewerage connection and potential sewer across the site.

Also regarding surface water inundation issues in the Lidsey Catchment. These matters can be addressed by an informative.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary (Open Countryside)

Lidsey Treatment Catchment Area

Area of Special Control for Advertisements

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN3	Protection of the Countryside
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

C SP1	Countryside
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
W DM3	Sustainable Urban Drainage Systems

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
NPPG	National Planning Practice Guidance

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication

Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The policies of the Barnham and Eastergate Neighbourhood Development Plan have been considered in the determination of this application and the proposal is generally in accord with those policies.

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 & RELEVANT POLICIES:

The dwelling is located outside of the built-up area boundary. However, Policy GEN3 of the Arun Local Plan states that development in the countryside is acceptable where it accords with a policy in Sections 2 & 3 of the plan referring to a specific use or type of development (such as Policy DEV19 "Extensions to Existing Residential Buildings").

Arun Local Plan Policy DEV19 states that:

"Planning permission will be granted for extensions to existing residential buildings, provided that:-

- (1) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (2) the extension is visually subservient to the main building;
- (3) the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
- (4) in streets characterised by relatively small gaps at first floor level between buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
- (5) the extension does not compromise the established spatial character and pattern of the street."

In addition to DEV19, it is also necessary to consider the relevant policies of the Barnham & Eastergate Neighbourhood Plan:

ES5 - "All new development with the parishes should be of a high quality design, and will be expected to conform to the forthcoming Barnham and Eastergate Design Guide once it has been adopted as supplementary planning guidance in accordance with paragraph 1.41 of the Local Plan."

ES6 - "New development should contribute positively to the character of the two villages, and should reflect the design qualities of their time, so that the richness of varied character continues and is extended into the future."

VISUAL & RESIDENTIAL AMENITY:

The proposed extensions are subservient to the main dwelling and are sympathetically designed. They can be readily accommodated within the site and will not be generally or widely visible. Given the size of the plot, distance from boundaries/relationship with surrounding dwellings and screening the extensions will also not give rise to amenity loss. The proposed extensions are therefore in accord with policies.

SUMMARY

The proposed extensions do not give rise to harm to visual or residential amenity. Matter of details from consultations can be addressed by conditions. The proposal is in accord with policies and it is therefore recommended that planning permission be granted subject to the following conditions.

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 drawings:

Location Plan - Received with Application

Drawing Number 2016/32/16 - Block Plan - Received with Application

Drawing Number 2016/32/03 Rev A - Proposed Floor Plans - Received with Application

Drawing Number 2016/32/04 - Existing & Proposed Roof Plans - Received with Application

Drawing Number 2016/32/05 Rev A - Proposed Elevations - Received with Application

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 development hereby permitted shall match as closely as possible 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 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 GEN7 and GEN9 of the Arun District Council 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.

- 5 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.

- 6 INFORMATIVE: In respect of Condition 4, the Council's Drainage Engineers advise that 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 BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm 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 event plus 30% on stored volumes, as an allowance for climate change. 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 are also available on request.

- 7 INFORMATIVE: Southern Water advises as follows -

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"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".

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

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.

Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development".

Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.