

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

REF NO: BN/37/18/HH

LOCATION: Parsonage Farm House
Lake Lane
Barnham
PO22 0JD

PROPOSAL: Annexe extension ancillary to main dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RESIDENTIAL DEVELOPMENT N/A

DENSITY (NET)

RELEVANT SITE HISTORY

BN/29/08/	Single storey extension comprising replacement garage/workshop, hobbies room, garden room, loft area over & alterations to existing garage	ApproveConditionally 27-11-08
-----------	--	----------------------------------

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Drainage Engineer: Does not object, recommends the imposition of a condition.

Southern Water: Do not object, recommend that an informative is imposed on any grant of permission:

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

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer: Does not object, recommends the imposition of a condition.

Southern Water: Do not object, recommend that an informative is imposed on any grant of permission:

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

POLICY CONTEXT

Designation applicable to site:

Within Built-up Area Boundary

Listed Building- Grade II

Flood Zones 2 and 3

Lidsey Treatment Area

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM4	ENV DM4 Protection of trees
WSP1	W SP1 Water
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE/POLICY:

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 subject to consideration against relevant development plan policies. The key Policy considerations in the determination of this application are deemed to be D DM1 and D DM4 of the Arun Local Plan 2011-2031.

As aforementioned, The host dwelling is a Grade II Listed Building and the impact of the proposal on it has been assessed under the listed Building application ref: BN38/18/L.

CHARACTER OF LOCALITY:

Main road with residential properties comprising two storey terraced, semi-detached and detached of various styles and designs. Flat development and parade of shops to east of site.

SITE CHARACTERISTICS:

Grade II Listed. Two storey L-shaped property with modern porch. The walls have a mixture of red bricks and flint work, clay tiled roof, windows have glazing bars.

DESIGN AND VISUAL AMENITY:

As aforementioned, The host dwelling is a Grade II Listed Building and the impact of the proposal on it has been assessed under the listed Building application ref: BN38/18/L. The application has been refused for the following reason:

'The manner and form of the extension would not integrate satisfactorily with the host building and as such, would adversely affect the character and appearance of the Grade II Listed Building and conflict with the National Planning Policy Framework and Policies HER SP1, HER DM1 of the emerging Local Plan and ES7 of the Barnham Neighbourhood Plan.'

IMPACT ON RESIDENTIAL AMENITY:

From an assesment of the plans it is noted that the proposal is to be used as an annexe. With regard to noise it is not considered that the use of the proposal would lead to noise levels such that the proposal should be refused. Should noise levels become an issue they can be dealt with under the appropriate Environmental Health legislation regarding noise.

From an assesment of the plans and the Officer's site visit, it is considered that the proposal would be set in form the common boundary of the adjoining flats nos.12,14,15 and 16 Marsden House by approximately 0.8 of a metre and over 3 metres form the side elevation. Therefore, Officers consider that the proposal would not have a detrimental impact with regard to overbearing effect, overshadowing loss of light/sunlight on the occupiers of the aforementioned flats.

Having regard to overlooking, it is considered that no detrimental overlooking would occur from the proposed extension toward the occupiers of the adjoining flats. Property numbers 2 and 4 Dial Close, to the rear of the application site, would be set over 30 metres away from the rear elevation of the proposed extension. Therefore, Officers consider that no detrimental overlooking would occur to the occupiers of 2 and 4 Dial Close.

As such, it is considered that the proposed development would not have a detrimental impact on the residential amenity of the occupiers of neighbouring properties with regard to overlooking, overbearing effect, overshadowing and loss of light/sunlight.

The proposed extension is considered to accord with policies D DM1 and D DM4 criterion 3. of the Arun Local Plan.

PARKING AND HIGHWAY SAFETY:

From an assesment it is considered that there is sufficient parking to serve the proposed development. Therefore, it is considered that the proposal would not have a detrimental impact on parking and highway safety.

As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan

IMPACT ON TREES:

From an assesment the Councils records show that there is an area TPO nearby as well as a number of tree on the application site which also appear to be TPO trees. The applicant has not submitted any details, such as an arboricultural assesment, including detailed plans showing the TPO trees. From an assesment of the councils areal photography it is likely that no TPO trees would be impacted. However Officers note that TPO trees T14 and T15 are shown to on the TPO schedule map to be in very close proximity to where the proposal is to be sited. It is not clear to Officers that the proposal would not lead to any harm to a TPO trees. Therefore it would be up to the applicant to provide an arbricultural assesment so that a full assesment by the Local Planning Authority can be made, as to the impact of the proposal on any nearby trees, TPO or otherwise. Officers note that ideally an arboricultural assesment should be submitted prior to the granting of any permission. However, given that the Listed application has been refused and the proposal can therefore not be constructed, Officers consider that a condition requiring these details prior to works commencing would be acceptable.

IMPACT ON FLOODING, FLOOD RISK and Drainage:

From an assesment of the submitted Flood Risk statement (Matrix) where the applicant states that

'Floor levels within the proposed development will be set no lower than existing levels and, flood proofing of the proposed development has been incorporated where appropriate.'

As such, Officers consider that the proposal would not have a detrimental impact with regard to flooding and flood risk.

The Drainage Engineer has commented on this application and does not object subject to the imposition of a condition upon any grant of planning permission.

As such, it is considered that the proposal would adhere to Policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan

SUMMARY:

It is recommended that, having regard to the above assessment, the planning application is granted.

HUMAN RIGHTS ACT

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

- 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: 37669LP received on the 17/07/2018
Block Plan ref: 37997 BP received on the 03/09/2018
Existing Elevations and Floor Plan ref: 37669-1 received on the 17/07/2018
Proposed Roof Plan ref: 37669-4 Rev A received on the 08/03/2019
Proposed Elevation and Floor Plans ref: 37669-2 Rev D received 05/02/2019
Proposed First Floor plan ref: 37669-3 Rev B received 05/02/2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.
- 3 Prior to the commencement of works an arboricultural statement including any proposed protection measures shall be submitted to and agreed in writing by the Local Planning Authority and the details, as agreed, shall be implemented prior to the commencement of works.

Reason: Reason: To ensure that no TPO Trees and/or other trees and vegetation of significant amenity value would be detrimentally harmed in accordance with policy ENV DM4 of the Arun Local Plan.
- 4 The extension (annexe) hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of Parsonage Farm House as a single family dwelling.

In the interest of the character and amenity of the area in accordance with Policies D DM1 D DM4 of the Arun Local Plan.
- 5 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.

- 6 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained 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.

- 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 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 40% 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 regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 8 INFORMATIVE: 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. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 9 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 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.