

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

REF NO: BN/39/26/HH

LOCATION: 19 Elm Grove
Barnham
PO22 0HJ

PROPOSAL: Erection of open sided car port with tiled roof to match existing dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BN/116/19/HH	Single storey rear extension and addition of a first floor	ApproveConditionally 15-01-20
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REPRESENTATIONS

Barnham and Eastergate Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Drainage Engineers - Objection.

0.General

0.1.Insufficient information regarding surface water drainage has been submitted to evidence that flood risk will not be increased as due to the proposed development.

1.Runoff destination

1.1.It is proposed to collect rainwater from the roof of the car port in water butts for re-use. Whilst this complies with Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS) it will rarely provide a whole design solution, as during the wettest months, when the need for water would significantly fall, water butts would fill to capacity. As, when water butts were at capacity no final discharge location has been confirmed, insufficient evidence has been submitted to demonstrate how the applicant intends to drain surface water, we are unable to assess whether the proposed development would increase flood risk. It is the responsibility of the applicant or their drainage designer to provide this evidence. For this reason, we object to the proposal, as the submission of such evidence may affect the scale and layout of the development.

1.2.To support an infiltration-based design, winter groundwater monitoring must be undertaken to confirm that a minimum of one metre of unsaturated ground can be maintained between the base of the soakaway or infiltration structure and the peak groundwater level. Ground conditions and infiltration potential in Barnham are highly variable. While infiltration may be feasible in some areas, others experience high groundwater levels or poor infiltration rates that render it unviable. This must be robustly demonstrated by the applicant. Further information regarding infiltration testing and groundwater monitoring can be found at <https://www.arun.gov.uk/surfacewater/>.

1.3.If infiltration is not viable, then alternative sustainable means of draining the site are summarised as follows:

- 1.Water reuse -proposed but will not provide a full design solution and can be secured via condition.
- 2.Infiltration - not investigated.
- 2.To a watercourse - none available.
- 3.To a surface water sewer - to the land drain at the front of site.
- 4.To a highway drainage system - none available according to our records.
- 5.To a combined sewer - none available.

1.4.It is essential that each discharge destination is considered in strict priority order, with higher priority options fully explored and demonstrably exhausted before progressing to lower priority alternatives. Robust evidence must be provided to discount a higher priority destination.

1.5.In this case, ADC has identified a potential alternative (if infiltration proves unviable); a land drain outside of No. 20 Elm Grove, which discharges to watercourse to the north-east. The ownership of the land drain is not entirely clear, but it could be Arun District Council or the private estate. It is the designer's responsibility to fully investigate this option, where necessary, and provide clear evidence of permission to discharge into the system and ensure that a gravity lead solution was feasible as the use of pumps is highly discouraged.

1.6.The application site is in the Lidsey Wastewater Treatment Catchment Area. This catchment is the subject of a surface water management plan due in part to the recognised history of foul sewer flooding. The site is within a local flood risk zone identified within the surface water management plan . The plan states that flood risk from groundwater and public sewers is high. It states that flood risk of the public sewers occurs due to high inflows of surface water through inundation and ground water leading to hydraulic overload of the system. The internal flooding of properties in Elm Grove is an occurrence, and pumping is required at times of prolonged and heavy rainfall.

POLICY CONTEXT

Lidsey Treatment Catchment Area.
Lidsey Local Flood Risk Zone.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site includes a detached dwelling, with attached garage and carriage driveway. The proposal is for an open sided car port with a tiled roof, to match the existing dwelling.

The car port would be a reasonably lightweight structure, with open sides. Four stock brick piers would support the structure; tiles would be used on the pitched roof that would match those on the host dwelling.

Section 4b of the Barnham and Eastergate Parish Design Guide (2020) advises that developments should "make good use of the available site and location. The size of a proposed development, whether of new properties or extensions to existing properties, should be appropriate to the size of the plot and the extent to which the development will 'urbanise' the street scene." The car port would measure 4.6m by 3.24m, appropriate for the size of the frontage. Access to the site would be unaffected. The scale and materials would be in-keeping with the recent re-development of the host dwelling, approved in 2019.

Sections 4a of the Barnham and Eastergate Parish Design Guide (2020) states that "where there is a historic building line this should be followed. New buildings and extensions should maintain the existing street front/building line." While outbuildings of this nature are not a common feature alone Elm Grove, there is a similar, larger structure further east at 25 Elm Grove. The car port proposed under this application would be lesser in height (at 3.8m) and a less imposing, more open structure. Whilst the car port would conflict with the above policy, it would be set in from the side boundary with 20 Elm Grove by 1m and setback from the highway by 4.6m, ensuring the set-back, open nature of the dwelling is retained.

The proposal, while conflicting with parts of the Barnham and Eastergate Parish Design Guide (2020), the car part would be a subservient addition to the host dwelling and would not result in harm to design or visual amenity, in accordance with Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

Set 1m in from the side boundary with 20 Elm Grove, the car port would be visible from the frontage and south facing windows. Notwithstanding this, given that this neighbour has a garage within close proximity of the shared boundary with the application site, the spacing maintained between the car port and the boundary and that the car port would be an open structure, the proposal would not result in overbearing or overshadowing impacts to neighbouring properties.

Owing to its siting and intended use, the car port would have no impact in regard to overlooking.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

LIDSEY TREATMENT CATCHMENT AREA & LOCAL LIDSEY FLOOD RISK ZONE

The site is located within the Lidsey Treatment Catchment Area and is within a Local Lidsey Flood Risk Area, which warranted a consultation with the Drainage Engineers.

The Drainage Engineers have objected on the grounds that no surface water runoff location has been provided, as required by Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS).

In this instance, the car port would be an open structure, constructed over an area of existing hard standing and would not result in an increase in impermeable or hard surfaces within the application site.

The proposed development would not result in an increase in the risk of flooding elsewhere and is in accordance with Arun Local Plan policies W DM1 and W DM3.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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

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.

CIL DETAILS

This application is not CIL liable.

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 01L.
- Block Plan 01B.
- Proposed Car Port Plans and Elevations 24 A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.