

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

REF NO: BN/4/21/HH

LOCATION: Magnolia Cottage
Fontwell Avenue
Eastergate
PO20 3RZ

PROPOSAL: Proposed two storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a two storey extension to the rear of the property.

REPRESENTATIONS

Barnham and Eastergate Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC Drainage - The site falls with Lidsey Catchment Area and the site also lies within a Groundwater Protection Zone. Apply condition relating to surface water drainage.

Comments noted. Condition agreed with agent.

POLICY CONTEXT

Outside built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design

[POLICY ES5](#)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy.). In this case, the key policy considerations are deemed to be D DM1 & D DM4.

Barnham and Eastergate have a made and an emerging Neighbourhood Plan with policy ES5 of relevance to the proposal. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a rear extension and as such it will not be visible from the wider area.

There is a small addition to the rear. This will be removed and replaced with an extension of two storey. This will run along approximately half of the rear wall of the dwelling.

The addition appears subservient to the host dwelling. The roof is hipped which is considered sympathetic in appearance to the host dwelling.

Arun District Council recently adopted a Design Guide which seeks to improve design in the District. Section M relates to householder extensions. The proposal is considered to comply with this in such that the design responds to and complements the existing character and appearance of the dwelling. The scale and massing is also appropriate.

With no view points from the wider area, the proposal is not considered to result in harm upon the street scene or wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension will have a depth of 3m and width of around 6m. The height will match that of the host dwelling with a hipped roof.

The extension is located around 0.6m from the boundary which is in relatively close proximity to the neighbouring property which features a conservatory. As such the addition may give rise to some overbearing impact. The neighbouring conservatory does however extend around 1.5m beyond that of the extension and as such it is not considered to appear unduly dominant.

The neighbouring conservatory is also located to the south and is not considered to result in adverse overshadowing as a result of two storey addition.

There will be 2 windows at first floor which will replace an existing dormer and rooflight. These will provide views over the garden of the host dwelling and are not considered to increase overlooking from that which is already available.

The proposal is not considered to result in adverse harm upon amenity and as such accords with D DM1 and D DM4 of the Arun Local Plan.

SDNPA

The site falls outside of the South Downs National Park and as such has no direct adverse impact upon it

as a result of the siting and modest scale of the proposal. The site does however fall in the 12km zone for Singleton and Cocking Tunnel which relates to the safeguard of bats. Due to the location of the property and scale of the proposal, it is not considered to give rise to significant impacts upon bats and there will be no increase in lighting. An informative will be included relating to the protection of bats if any habitats are found.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such 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

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/Block Plan - Jan 2021
 - Proposed Plans - Jan 2021

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

- 3 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.

- 4 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.
- 5 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 6 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.