

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

REF NO: BN/53/18/HH

LOCATION: 37 Hill Lane
Barnham
PO22 0BL

PROPOSAL: Two storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application proposes a two storey extension to the side elevation of the dwelling.

RELEVANT SITE HISTORY

BN/23/18/PL	Redevelopment of brownfield site previously used for A1 retail to 2 No. dwellings, detached garage & associated works. This application is a Departure from the Development Plan.	Refused 20-12-18
BN/4/05/	2 storey rear extension.	ApproveConditionally 04-05-05
BN/53/04/CLE	Application for a certificate of lawfulness for an existing use - use of buildings for the sale of dried flowers and associated products together with parking.	Approve 07-01-05

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Barnham Parish Council

Barnham Parish Council provided no objection to the application.
No representation from nearby occupiers.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water Requested a standard informative is included. Full comments are available online.

Drainage - Requested a pre-commencement condition is to be included as the site falls within the Lidsey Catchment Area. Full comments are available to view online. The pre-commencement conditions have been agreed with the applicant and included below.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary.
PD Restriction
Lidsey Catchment Area
Horticulture Local Development Order

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
CSP1	C SP1 Countryside

[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 application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan. The proposal is for extensions and alterations to an existing building within 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 of the Arun Local Plan.

Barnham has a 'made' Neighbourhood Plan with policy ES5 of relevance to the application. The proposal complies with this policy.

The site is occupied by a semi detached two storey dwelling.

SITE HISTORY

The site was formerly in use as a wholesale flower nursery and this developed into a retail operation. Due to its previous use there are a number of horticultural buildings surrounding the property such as metal containers, timber sheds and glasshouses.

An application was recently refused which was for the construction of No.2 detached houses on the adjacent land.

DESIGN AND VISUAL AMENITY

The proposal is situated to the north east elevation of the dwelling and is visible from the street scene.

The development will be constructed of materials to match the existing dwelling and appears subservient in appearance to the host property. The neighbouring property is constructed of a matching design to the host dwelling however the area consist of a variety of styles and designs and with the dwelling set back 15m from the street frontage the extension does not appear overly dominant. The change is therefore not considered to adversely impact upon the spatial character or appearance of the street scene and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The side extension has a width of approximately 3.9m to the north eastern elevation. This will extend the full depth of the dwelling and will be sited around 0.7m forward of the front elevation however does not project beyond the existing porch. It also extends 1.5m beyond the rear elevation with the existing rear conservatory to be removed. The extension will have a gable roof with eaves to match the host dwelling and a total height around 0.6m below the ridge height of the dwellinghouse.

The side extension is only around 0.4m from the boundary to the north east and whilst this is close, the neighbouring land is currently unoccupied and therefore it is not deemed to give rise to any overbearing or overshadowing upon this elevation.

The extension proposes a first floor window to the rear however due to the siting and it serving a bathroom it is not considered to give rise to any overlooking upon neighbouring properties. With a door and window proposed at single storey level, it is not considered to give rise to impacts additional to that which is already possible. 2 windows to the front will overlook the street scene.

Due to the siting of the extension, the development is not considered to give rise to any adverse overlooking, overshadowing or overbearing impacts upon neighbouring amenity and accords with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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

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
 - Floor Plan, Elevations and Location Plan - P01
 - Roof Plan, Elevations and Block Plan - P02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 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 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 The development shall not commence until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to

watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1 and W DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 5 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>.
- 6 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.