

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

REF NO: BN/55/22/HH

LOCATION: 6 Collins Close
Eastergate
PO20 3JT

PROPOSAL: Erection of single storey rear extension following demolition of existing rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey rear extension following the demolition of an existing rear conservatory on a similar footprint.
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REPRESENTATIONS

Barnham and Eastergate Parish Council - No Objection

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Drainage Engineer:

- Given the scale of the development and based on the assumption that the increase in impermeable area may be considered equivalent to what may be achieved under permitted development, the documents supplied as part of this application have not been assessed. We would stress the need to consider properly and bring to the applicant's attention, surface water disposal, especially in the Lidsey Treatment Catchment.

DEVELOPMENT PLAN POLICIES

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

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

[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
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SUPPLEMENTARY POLICY GUIDANCE:**CONCLUSIONS****PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Part M and general criteria set by the Arun Design Guide is also considered.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

Barnham and Eastergate Parish Council have a 'made' Neighbourhood Development Plan, of which Policies ES5 and ES6 are relevant. Policy ES5 is concerned with the quality of design and states that new development should be designed to respond to the specific character of the site and its local surroundings, to create a sense of place. ES6 focuses on the contribution to local character and states that integration of new buildings into the context in which they are located is important. There is an emerging version of the Neighbourhood Plan containing similar policies.

DESIGN AND VISUAL AMENITY

The proposal is to the rear of the dwelling, which is a two-storey detached property, and will not be visible from the street scene. As a result, it will have no harm on the composition or appearance of the street.

The extension will follow the design of the property, and extend from the rear elevation, with a width of 4.1m and depth of 5m. It will have a pitched and tiled roof (hipped) to match the existing, which will connect with the existing bay window roof, and will be closely integrated with. It will have minimal impact on the visual appearance and character of the property.

Furthermore, as a replacement structure which is only 500mm higher than the existing structure at its ridge and by reason of its appropriate overall scale which is significantly less than the host dwelling it appears subservient to and in context with the locality and is in accordance with the Neighbourhood Plan.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. The proposal extends from and matches the existing, maintaining the established building lines. It is respectful to the design and character of the host, and of the locality, and preserves a sufficient amount of garden amenity space. There will be no adverse harm to visual amenity, and the proposal is in accordance with Part M.

The development will not have an adverse impact on visual amenity, or to the character of the area, and is in accordance with D DM1 and D DM4 of the Arun Local Plan, ES5 and ES6 of the Neighbourhood Plan, and Part M of the Arun Design Guide.

RESIDENTIAL AMENITY

The proposal is a single storey extension and will have a hipped roof. This roof will match the same pitch as the existing, and measures approx. 3.7m to the ridge with an eaves to match the existing structure. The extension will retain 1.23m to the east, 6.01m to the west, and 7.1m to the northern boundaries affording it a garden length above design guidance recommended levels. It will encroach on the disallowed area when considering the 60-degree rule for rear extensions. However, this is not seen as a reason to refuse the application as the proposed will replace an existing structure with a similar footprint and an equal eaves height, with its overall final height (due to the hipped roof) being located well away from the shared eastern boundary. Furthermore the 1.2m separation gap away from the eastern boundary is seen as sufficient to reduce any potential effect the extension may have had, as a result it will have no adverse impact on residential amenity, nor will it result in unacceptable overshadowing or overbearing, and is in accordance with D DM4.

Being a ground floor extension, no negative impact from overlooking is foreseen.

Part M of the Arun Design Guide states that extensions should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The proposal is respectful to the privacy of the neighbouring properties and exhibits no features that may unacceptably impact residential amenity. This is in accordance with Part M.

The development will result in no adverse harm to residential amenity and is in accordance with D DM1 and D DM4 of the Arun Local Plan, and Part M of the Arun Design Guide.

SUMMARY

The proposed development accords with the 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.

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 and Block Plan 102
- Proposed Floor Plans 110
- Proposed Elevations 120

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 **INFORMATIVE:** Surface water drainage should be designed and constructed to comply with building regulation requirements. Infiltration should be fully investigated, if however it is found that infiltration does not work controlled discharge to ordinary watercourse will be required. The applicant should be aware that any proposals to discharge flows to a watercourse require Ordinary Watercourse Land Drainage Consent prior to works.

Arun District Council requires 3m clearance between any structure and the bank of an ordinary watercourse and 3m clearance between any structure and a culverted ordinary watercourse. This is to ensure that no construction will occur that will limit the current or future landowners ability to conduct maintenance to the watercourse in line with their responsibilities under the Land Drainage Act 1991.

- 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 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.