

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** BN/6/13/**LOCATION:** Grove House
Highground Lane
Barnham**PROPOSAL:** Demolition of 3 No garage/storage buildings and construction of replacement garage building with 2 No Solar panels and ancillary residential first floor games room.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed garage/games room with dormers, roof lights and solar panels to the rear measures approximately 15.5m in width, 6.5m in depth and 5.8m in height.
SITE AREA	Approximately 0.536 hectare.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is part open with hedging approximately 2m, west side boundary has hedging with close boarded fencing behind approximately 2m in height, east and rear boundary screened by hedging approximately 2.5m in height.
SITE CHARACTERISTICS	Detached two storey property with dormers to front. Three outbuildings in rear garden (to be removed as part of application). The property has smooth rendered walls painted cream, brown tiled roof with white window frames.
CHARACTER OF LOCALITY	Rural area comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

BN/26/06/	Extend dining room at rear of the house into the garden. (Main File - Dual Parish see also EG/48/06/)	Approve Conditionally 23-06-2006
EG/48/06/	Extend dining room at rear of the house into the garden (Dual Parish - see also BN/26/06/)	Approve Conditionally 23-06-2006
BN/58/06/CLE	Application for a certificate of lawfulness for existing use as residential curtilage	Approve 04-12-2006

BN/16/81

Various alterations and additions

Approve Conditionally

09-09-1981

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

A formal application for connection to the public sewerage is required in order to service this development. If approved, we request that an informative be placed on any consent.

Comments on Consultation responses:

Comments noted

If approved, an informative will be placed on any consent.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary
Area of Special Control for Advertisements

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)
[GEN7](#)
[GEN9](#)

Protection of the Countryside
The Form of New Development
Foul and Surface Water Drainage

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to residential and visual amenity and its affect on the rural area.

The Development Plan consists of the Arun District Local Plan 2003 which was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally

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adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The property is set back from the front boundary with a driveway and to the rear on the southern side are three outbuildings which are accessed by the existing driveway. The proposal is to remove these buildings and construct a detached garage comprising with games room.

The land in question is within the residential curtilage which was given approval under BN/58/06/CLE on the 4th December 2006. Two of the existing buildings to be demolished are sited on the southern side boundary and the third is in the same locality but further into the site. With the removal of the three buildings having a floor area of approximately 128 sq mtrs the new structure although two storey in appearance has an approximate floor area of 101 sq mtres and this will be sited in the same location as the existing buildings. It will be approximately 15.5m in width, depth of 6.5m with a maximum height of 5.8. It will comprise a double garage, store and looby area on the ground floor and at first floor level a games room with shower room. The structure which has a hipped roof has three dormers on the front with two rooflights and to the rear are two solar panels.

With regard to residential amenity the immediate property to the south Orchard House is sited forward of the proposal and approximately 35m away. The roof line will be partially obscured by the dense hedging so it is not considered that this create a loss of outlook to the occupiers of Orchard House.

Whilst it is noted that the structure is of a substantial size and height the site can easily accommodate a structure of this nature and the appearance of the building which will be clad in timber is in keeping with a rural location. If approved, a condition will be imposed that the building be used incidental to the enjoyment of Grove House and not as a separate unit of accommodation.

It is therefore recommended that the application be approved, subject to conditions.

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 for 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 a neutral impact has 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).

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 Drg No 2012/36/01, Proposed Floor/Roof/Section Drg No 2012/36/02, Proposed Elevations Drg No 2012/36/03 received on 4th April 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall take place until the existing buildings within the site have been demolished.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity.

- 4 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

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Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The garage/games room hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Grove House as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 6 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 30A Southgate Street, Winchester, SO23 9EH (Tel: 01962 858688), or www.southernwater.co.uk.

- 7 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, GEN9

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 8 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.