

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

REF NO: BN/6/17/HH

LOCATION: Firefly
Park Road
Barnham

PROPOSAL: Single storey rear extension, increase width of existing garage, pitched roof construction to new dormer windows & cladding on all elevations.(resubmission following BN/30/16/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a single storey rear extension with flat roof. The proposal includes alteration to the roof which will see the height of the dwelling increase by approximately 1.1m, with the addition of 1 no. dormer window on the primary elevation and 2 no. dormer windows on the rear, increase in width and gable end roof over existing detached garage.

SITE AREA

0.01 hectares.

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site features brick pillars and timber fencing to a height of approximately 1.2m as well as mature planting to a height of approximately 2.5m. The rear and side boundaries of the site consist of fencing and mature planting.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow constructed from brick with a tiled roof.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and features properties of various designs and styles.

RELEVANT SITE HISTORY

BN/30/16/HH	Ground floor rear extension. Conversion & extension of roof space incorporating additional bedrooms & 2No. bathrooms, new stair & include 3No. dormer windows & ground floor bedroom	ApproveConditionally 10-10-2016
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Application granted for similar development under BN/30/16/HH.

REPRESENTATIONS

Representations received:

Barnham Parish Council

At a meeting of Barnham Parish Council on Monday 3rd April the Council resolved to raise no objection but wanted their comments made on the previous application taken into account. This was that they want ADC to ensure that they are satisfied that the building will have no adverse effect on the sewer and surface water drainage systems in the area.

PREVIOUS COMMENTS on application BN/30/16/HH

At the meeting of Barnham Parish Council on Monday 5th September the Council resolved to raise no objection to this application but would comment that the area is prone to flooding so would like ADC to ensure that they are satisfied with that the application proposals will not have an adverse effect on the sewer and surface water drainage in the area.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

Consultations responses received:

Engineers (Drainage):
Infiltration to be investigated for drainage of new roof area.

Please apply standard conditions ENGD2A.

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 BRE 365, 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 30% 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 are also enclosed for information.

SOUTHERN WATER

Please include standard southern water informatives.

Comments on Consultation responses:

Comments noted. Condition will not be included as the roof space will be similar to the existing and a larger amount of roof space could be created under permitted development.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary
Lidsey Treatment Catchment

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>DEV19</u>	Extensions to existing residential buildings
	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	The Form of New Development
Publication Version of the Local Plan (October 2014):		C SP1 Countryside
		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		D SP1 Design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1		Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5		Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8		Buildings should be designed to reflect the three-dimensional qualities of traditional buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Barnham & Eastergate Neighbourhood Plan has been made and policies ES1, ES5 and ES8 are considered relevant to the determination of this application.

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 conflict with policy DEV19 as the proposals due to their size and height are not subservient to the host dwelling.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely 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.

CONCLUSIONS

DIFFERENCES FROM PREVIOUS APPLICATION

- Front and rear dormer windows now have pitched roof types,
- Rear extension is flat roof with roof lanterns,
- Extension to side of garage to increase width and include gable end roof over.

PRINCIPLE

The application site falls outside of the built area boundary where development is resisted. However, it must be considered that the proposed development consists of alterations to an existing dwellinghouse. Therefore, the principle of the proposed development is deemed acceptable and will be considered against relevant development plan policies. The key policy considerations in the determination of this application are considered to be GEN7 and DEV19 of the Arun District Local Plan; Policies ES1, ES5 and ES8 of the Barnham & Eastergate Neighbourhood Plan; and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed development will have a significant impact upon the appearance of the host dwelling and as such the alterations cannot be considered to appear subservient in conflict with policy DEV19(ii) of the Arun District Local Plan. However, despite this the proposal by virtue of its design and the materials intended to be used in its construction is considered to appear well integrated with the host dwelling in accordance with policy DEV19(i) of the Arun District Local Plan.

The road is of mixed character and features bungalows, chalet bungalows as well as two storey dwellings. The proposed alterations the subject of this application are not considered to have an unacceptable adverse impact upon the appearance or character of the host dwelling or that of the wider locality. Therefore, the proposal is deemed to accord with policy GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The dwelling is situated at its closest point 2.32m from the southern boundary of the site with the neighbouring property (Mazuri) is situated an additional 1.5m from the boundary at its closest point. The neighbouring property (Mazuri) features three windows on the northern elevation, the

largest window at the front of the dwelling is a secondary window associated with the lounge - a roof light and high level window associated with a bedroom are situated towards the rear of the dwelling. The proposed alterations to the dwelling by virtue of its location upon the site and the separation distance between the two properties is not considered to give rise to unacceptably adverse overbearing or overshadowing impacts.

The proposal features 3 no. windows on the northern (side) elevation which will not give rise to any unacceptably adverse overlooking. The 2 no. windows proposed on the southern elevation are however considered problematic and as such it is considered necessary to condition these windows to be obscurely glazed and non-opening in order to protect the residential amenity of neighbours to the south of the site.

Subject to the conditions proposed the development is considered to accord with policy GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is recommended for approval subject to the below 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 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 Plan
Block Plan
Barnham/101A/01
Barnham/102A/01
Barnham/103A/01
Barnham/104A/01

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 above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the external walls of the development hereby approved have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The windows at first floor level on the southern elevation of the dwelling shall at all times be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 5 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.

- 6 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.