

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

REF NO: BN/7/22/HH

LOCATION: 10 Downview Road
Barnham
PO22 0EE

PROPOSAL: Erection of outbuilding to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey outbuilding to the rear of the garden.
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RELEVANT SITE HISTORY

EG/89/17/OUT	Outline application for a chalet style bungalow	Withdrawn 14-12-17
EG/108/17/OUT	Outline application with all matters reserved for a 3 bedroom chalet style bungalow. Resubmission of EG/89/17/OUT	Refused 08-03-18 Appeal: Dismissed 18-01-19
BN/35/17/OUT	Outline application with all matters reserved for a chalet style bungalow	
EG/61/17/HH	Ground floor infill extension, removal of existing first floor to replace with first floor extension that covers new footprint of building including extension but excluding garage.	ApproveConditionally 05-10-17

REPRESENTATIONS

Barnham and Eastergate Parish Council - No Objection:

- This is provided there is a condition that the outbuilding cannot be used as a separate dwelling in the future.

Two No Objection responses received from nearby occupiers:

- Not overly concerned with the application but questions how the proposal is different from the previous applications by the previous owner. Is it purely the nature of the use of the building? Is this a standard

height for a single storey gym/playroom? Will it be soundproofed? How long roughly will the construction take to complete? When is it likely to start? Would/could the use of the proposed be changed at a later date?

- No objection to the building but would like to ensure that it is built just as indicated on the plans and in a way that will not damage the trees, and will not unduly impact their lives. They ask for conditions to be imposed limiting the height to 4.5m as proposed, the external appearance should be sympathetic to its surroundings, its foundations should not adversely impact the mature trees at the end of the garden and that it may not be subsequently converted for 24hr/overnight occupation.

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Drainage Engineers:

- The application is in the Lidsey Treatment Catchment, therefore surface water drainage design should be carefully considered. Infiltration must be fully investigated. Please apply the following conditions to ensure that the development is adequately drained and does not increase flood risk elsewhere.

Tree Officer- No response.

It is not proposed to add the engineers condition as a building of a similar footprint could be erected under permitted development.

POLICY CONTEXT

Built Up Area Boundary

TPO

Lidsey Treatment Catchment

WSCC Mineral Consultation Area

CIL Charging Zone 2

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

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

DESIGN AND VISUAL AMENITY

The proposal is situated to the rear of the property, close to the western boundary, and will not be clearly visible from the public realm.

The outbuilding will be single storey, and measure a total of 8m wide and 5.5m deep, with another 2m in depth when including the proposed terrace to the front. It will have a gable roof, which will differ slightly to the main roof of the host. This will have minimal impact on the visual appearance and character of the property however, being that the proposed is a separate building and situated a significant distance from the host. As the proposal is located to the rear, it will not be visible from the street scene to the front of the property. This street scene is comprised of a variety of different style detached properties, all set back from the road on large plots of land. The proposal poses no risk of disruption to the appearance or composition of these properties, and is in keeping with the general character of the area. There is a small residential road running along the rear of the property, providing access to the neighbouring properties to the back of the host. The proposal will be situated 2m from the boundary separating this road and its properties, and given its scale, will be partially visible above the fence line. This visibility will be fairly restricted however, due to a number of trees situated along the boundary. Therefore, the impact on visual amenity from the street to the rear will be very limited, and as such is acceptable.

The proposal appears relatively subservient in design to the host, and will not appear unduly out of place in its context. It will primarily use materials matching that of the existing, the only exception being the walls. These walls will be brick and render, only similar in part to that of the existing walls of the host, which are a mix of white render and light grey cladding. Despite this, there will not be a substantial difference in the visual appearance of both buildings, and as a result, will have little intrusion on the character of the property, and the locality.

Part M of the Arun Design Guide provides guidance surrounding extensions. Although the proposal is a separate building rather than an extension, this guidance can also be applied to outbuildings. The guide states that rear developments 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 is modern in design, but does not unacceptably disrupt the character and appearance of the property, or the locality. It retains a sufficient amount of garden space, and is in keeping with the general character of the area. This is in accord with Part M.

The development is not considered to have an adverse impact on visual amenity, or to the character of the area, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Design Guide.

RESIDENTIAL AMENITY

The outbuilding will be single storey, and have a gable roof. This roof will have a height of approximately 4m, and 2.6m at the eaves. A distance of 4.335m to the north, 5.287m to the south and 2m to the west boundaries will be retained by the proposal. It will also be situated around 42m from the rear elevation of the host property, and as such a similar distance from No.9 and No.11 to the sides of the host. Therefore, despite being 4m high, the proposal is located a sufficient distance from the neighbouring properties to the sides and rear, and will not result in adverse overbearing or overshadowing. It poses no risk of unacceptable harm to residential amenity, and is in accord with D DM4.

The outbuilding will face toward the host dwelling, and will provide separate internal space to be used as a gym and playroom. It will feature a bi-fold door, windows and single door to the front (east) elevation, and window to the north elevation. These features will directly overlook the garden, and potentially have views of No.9 and No.11. However, being single storey, and a significant distance from these properties,

they are not considered to be unduly harmful to neighbouring privacy or amenity. This risk is also reduced by the boundary treatment on either side of the property, which features a large number of hedges and bushes, and limits any potential overlooking of these neighbours. There will be no windows or doors facing towards the neighbouring properties to the rear, and as such no risk of harm to their privacy or amenity in terms of overlooking.

Part M of the Arun Design Guide states that developments should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings. The proposal is respectful to the privacy of the neighbouring properties and exhibits no features that may unacceptably impact residential amenity. This is in accord with the Design Guide.

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

TREES

There are a number of trees situated along the rear boundary of the property, close to the proposed location of the outbuilding. The site is covered by a TPO (Eastergate No.1/68), but there is no individual order over these trees. Considering the distance retained from the boundary and the trees, it is unlikely the proposal will have an adverse impact on them, but care should be taken to ensure no harm is caused to their health during the development of the outbuilding.

SUMMARY

The proposed development is deemed to accord 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 02D
- Proposed Plans 01D

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 10 Downview Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun 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.

- 4 **INFORMATIVE:** The applicant is advised to read the comments of the Council's engineers - whilst no condition has been added the applicants are recommended to follow the advice given.

- 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.