

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

REF NO: BN/8/21/HH

LOCATION: Folly House
Fontwell Avenue
Eastergate
PO20 3RU

PROPOSAL: Timber car port to front garden following demolition of existing store.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BN/76/20/HH	Removal of existing store rooms to side of property and erection of single storey side extension.	ApproveConditionally 09-09-20
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REPRESENTATIONS

Barnham and Eastergate Parish Council: No Objection

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Drainage Engineers: Building Control have been involved with the extension that it will over complicate the situation for us to get involved at this stage. It is an undesirable outcome from my point of view, as if we had known that the car port was to be included with the extension application we would have requested PCENG2 at the time and there would have been more oversight in a delicate area from a drainage point of view (due to the groundwater protection zone). You may disregard my request for PCENG2 to be applied in this case.

POLICY CONTEXT

Designation applicable to site:
Lidsey Treatment Catchment
Within the Built Up Area Boundary
WSCC Mineral Consultation Area

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES1

Applications for new development must meet the local drainage requirements

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 of the Arun Local Plan.

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.

Barnham Parish Council have made a Neighbourhood Plan with policy ES1 of relevance to the application which requires new development to contribute to local character by creating a sense of place appropriate to its location. The proposal complies with this policy because it uses a range of materials which allows the proposal to be well integrated and the design is integrated into the local area.

DESIGN AND VISUAL AMENITY

The dwelling is a detached two storey property. The property is set back from the street with the principal elevation hidden from view by heavy screening.

The construction of a carport at the northern boundary will be visible to the street scene due to its front location due to its boundary of 0.87m to the east. However, due to the use of materials which are similar to the host dwelling it will appear subservient and well integrated to the existing dwelling.

The car port will feature timber posts which are considered sympathetic in design to the host dwelling.

Overall this proposal is considered to be sympathetic to the appearance of the host dwelling at Folly House. As a result of the use of materials and footprint of this development it will not have a detrimental effect to the character of this area as a whole.

The proposal accords with the other relevant sections of D DM4, and D DM1 of the Arun Local Plan and J & M of the Arun Design Guide.

The development is considered to be in accordance with policies D DM1, D DM4 of the Arun Local Plan and ES1 of the Barnham & Eastergate Neighbourhood Plan

RESIDENTIAL AMENITY

The car port will have a width of approximately 12m and a depth of approximately 5.8m. The height to pitched roof will be 3.85m and with an eaves to the rear at 1.5m. Due to the design of the proposal it will

increase some overshadowing effect into the driveway of neighbouring property to the south however, this will not cause adverse impact due to it being at single storey and the location of the existing boundary minimising risk of the overshadowing or overbearing effect so complies with D DM4 of the Arun Local Plan.

Due to the open design of the car port and nature of the car port there is no risk to overlooking to neighbouring properties to west due to being at single storey and boundary fence restricts effects of overlooking to south so complies with policy D DM4 of the Arun Local Plan.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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
- Proposed Plans 02

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:** 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.