

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

REF NO: BN/99/20/HH

LOCATION: 39 Spinney Walk
Barnham
PO22 0HT

PROPOSAL: Proposed single storey rear extension and two storey side extension and demolition of single storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension and a two storey side addition.

REPRESENTATIONS

Barnham Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Built up area boundary

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](#)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Barnham and Eastergate have a made Neighbourhood Plan with policy ES5 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a two storey side extension and a single storey addition to the rear.

The dwelling is situated to the end of a cul de sac, facing side on to the road. The two storey addition will be to the northern side and faces away from the street scene, fronting fields and as such due to the siting, is not readily visible from the street scene. There are also two garages to the front of the dwelling, again restricting views.

The surrounding properties are varied in style and the alteration is not considered to result in the dwelling appearing out of character with the area.

There is an existing single storey side addition which will be removed and the two storey addition will be constructed with a width of 3m. The addition will have a cat slide roof with the eaves increasing in height to the rear of the dwelling.

The proposal is considered well integrated and will use materials to match the host dwelling.

Due to the design and siting the proposal is not considered to result in harm upon the spatial pattern or character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The two storey will have a width of 3m and run along the side of the dwelling, meeting with the rear elevation. Eaves to the front of the property will be 3.3m and increase as it runs along the side of the dwelling to meet with the existing rear eaves. The ridge height sits slightly below the host dwelling.

There are no properties to the northern elevation and therefore it is not deemed to result in overbearing or overshadowing upon neighbouring properties. There are two windows to the northern elevation and again with no properties to this side, it is not deemed to result in overlooking.

A single storey extension will also be constructed to the rear elevation. This will have a depth of 3.3m and a height of approximately 3m. This will run along the rear, retaining around 1.5m to the northern side.

As the dwelling is detached, an extension could be constructed up to 4m under permitted development.

The property to the south at No.37 is situated slightly further west than the host dwelling and as such the development does not extend beyond the rear of the dwelling. As a result of its modest height and size and with it likely permitted development, it is not considered to give rise to adverse harm upon neighbouring amenity.

There will be doors to the rear however at single storey, views are not considered additional to that which is already achievable. There will be one additional window to the rear first floor addition however again due to the siting is not considered to give rise to adverse overlooking.

The proposal due to the siting and design is not considered to result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply 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.

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 - LP01 Rev A
 - Block Plan - BLP.01 Rev A
 - Proposed Floor Plan - PFP.01 Rev A
 - Proposed Elevations - PE.01 Rev A

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 materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.

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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.