

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

REF NO: EG/16/18/HH

LOCATION: 5 Murrell Gardens
Barnham
PO22 0DF

PROPOSAL: Conversion of garage into habitable space & single storey extension to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed garage conversion involves the internal subdivision of the garage to extend the kitchen and provide a utility room. The garage doors will be removed and replaced with a door and wall with the proposed single storey extension to the front. The proposal involves an increase in the height and depth of the roof. The resulting proposed roof would be approximately 7.5m high (max), 9.7m long at eaves level. The proposed extension is to the front of the garage and would measure approximately 3m wide, 2.6m deep and 7.5m high (max). Materials would match the existing property. The proposal also provides a further parking space to replace the garage to paved as per existing frontage.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to the front of the site with a low hedge approximately 0.5m high to the side.
SITE CHARACTERISTICS	Semi detached 2 storey dwelling, rendered elevations with part brick to first floor and garage beneath a tiled hipped roof. Single garage attached to the side.
CHARACTER OF LOCALITY	Residential cul-de-sac, consisting of modern detached and semi-detached dwellings. Open land with commercial uses beyond to the west and residential properties to the east.

RELEVANT SITE HISTORY

There is no relevant planning history

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham Parish Council no comments received to date.

No response to public consultation

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineers recommend a planning condition to any approval.

Southern Water recommend informatives on any permission.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and conditions and informatives included on the permission.

POLICY CONTEXT

Designation applicable to site:

Built up area

Lidsey Catchment Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design

POLICY ES5

Barnham & Eastergate Neighbourhood Plan 2014 Contribution to local character
POLICY ES6

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

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 and is 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.

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 has taking place. 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. The examination was completed in September 2017. A consultation on proposed modifications ended February 2018.

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. 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.

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DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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 application site is situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed front extension would extend the existing garage to the front. The proposed extension would be sited approximately 0.5m from the side boundary with No.4 and also 6m from the front boundary of the property. The proposed front extension would be marginally set back behind the front elevation of the main house. The proposed roof change and front extension would be visible from the street. The change in roof height and length would significantly alter the appearance of the garage which matches the garage at No.4. However, change is not necessarily harmful. The wider area has some variation in property design and although the symmetry of the garage with No.4 will be lost, the front extension and new roof appear subservient to the main property.

The garage conversion also involves a new window to the rear. The garage would be the same width as existing and the front extension would be of the same width. The proposed extension retains a garage door to retain the appearance of a garage to the front. The proposed parking space would remove a small area of soft landscaping but given the amount of hardstanding to the front is not considered harmful.

Materials would match the existing property.

As such the proposed development is not considered harmful to the character and appearance of the host property or the wider area.

Given the position of the proposed conversions and front extension it is not considered that there will be any adverse impact upon the amenity of the adjoining occupiers at No.6. There are no windows proposed in the side elevation of the front extension or the garage conversion with the main windows facing onto the rear garden, to the rear. The proposed increase in roof height and bulk does increase the impact upon the neighbouring property No.6 which has a side window facing the proposed development this appears to be a secondary window to a living room. However, given the height of eaves of the proposed extension and the fact that the roof slopes away it is not considered that the proposal will not be unduly dominant upon or lead to a loss of outlook to the occupiers of the adjoining property, No.6.

Although there is the loss of a garage there is sufficient off street parking and as such there are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the visual or residential amenity. The proposed development therefore complies with adopted policies in the Arun Local Plan and the Barnham Neighbourhood Plan.

The proposed development is therefore recommended for approval subject to the following 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 S01, P01a & P02.

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

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 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 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 7 INFORMATIVE: Southern Water initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.
- 8 INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.