

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

REF NO: EG/16/19/HH

LOCATION: 49 Warren Way
Barnham
PO22 0JX

PROPOSAL: Two storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a two storey extension to the side of the dwelling.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham and Eastergate Parish Council provided no response.
No representation received from nearby occupier.

CONSULTATIONS

Natural England
Engineers (Drainage)
Engineering Services Manager
Southern Water Planning
Arboriculturist
Environment Agency

CONSULTATION RESPONSES RECEIVED:

Southern Water - A formal application for any new connection to the public sewer needs to be made. Include standard informative.

Engineers (Drainage) - The application is within flood zone 3 and Environment Agency should be consulted. The EA normally require 8m clearance from the top of the bank of a main river and any proposed structure. It is also noted that the application is within an area at risk from surface water flooding. We would encourage the use of flood resilient design. Please apply standard condition.

Environment Agency - We object to this application as it is within flood zone 3 and is at risk of fluvial flooding. The extension is also proposed 1.6m from a main river and could increase flood risk elsewhere being built that close to the main river. The proximity to the river could compromise the structural stability of both the bank and proposed extension. A permit should also be obtained for any activities within 8m of a main river.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

[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
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk

[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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Barnham and Eastergate have a 'made' Neighbourhood Plan with policy ES1 and ES5 of relevance to the application.

The dwelling is sited at a corner to the end of a cul de sac is sited next to a main river.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a two storey side extension and is therefore visible from the street scene. It is sited around 0.5m behind that of the principle elevation and as such does not appear unduly dominant. The dwelling is located to the rear corner of cul de sac and as such views are limited.

The materials proposed will match that of the existing dwelling and as a result the extension appears well integrated. Whilst the neighbouring properties are of a similar style and design due to the siting of the development it is not considered to adversely impact upon the spatial pattern or character of the street scene and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed two storey side extension will have a width of 3.75m. This retains 1.6m to the eastern boundary. Its height is just below that of the ridge height of the host dwelling. The extension runs along

the full side elevation of the dwelling.

With no neighbours to the north or east elevation, the extension is not considered to appear overbearing or overshadowing upon neighbouring amenity. There is a ground floor window located to the east elevation however with no neighbouring properties it is also not deemed to give rise to any adverse overlooking.

There are 2 additional windows to the rear, however due to the siting of the windows and extension, they are not considered to provide any adverse overlooking as a result. Two additional windows to the front will overlook the street scene.

The proposal is not considered to harm neighbouring amenity and accord with DDM1 and DDM4 of the Arun Local Plan.

IMPACT ON FLOODING

The proposal is located to the eastern side of the dwelling and as result of its location, it is situated only 1.6m from the bank of a main river. Due to the siting of the development it could increase flood risk elsewhere as a result of its position being built so close to the river. Due to its siting again this has the potential to compromise the structural stability of the both the bank and the extension. This conflicts with WDM2 (b) in such that there is potential that the development could result in the bank and extension being unsafe and result in increasing flood risk elsewhere.

As result of the siting of the proposed extension, the development is in conflict with WDM2 of the Arun Local Plan and ES1 of the Barnham and Eastergate Neighbourhood Plan.

SUMMARY

The application is deemed to conflict with relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 Due to the position of the proposed extension it is considered that the development will increase flood risk elsewhere as a result of it being constructed 1.6m from the main river. Due to its siting again this has the potential to compromise the structural stability of the both the bank and the extension. As such the development conflicts with WDM2 of the Arun Local Plan and ES1 of the Barnham and Eastergate Neighbourhood Plan.
- 2 **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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.