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

REF NO: **EG/17/12/**

LOCATION: 140 Barnham Road
Barnham

PROPOSAL: Rear first floor extension to extend bedroom & provide en-suite facility

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed first floor extension measures approximately 4.2m in width, depth of 2.2m and a maximum height of 4.8m.
SITE AREA	Approximately 914 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has hedging approximately 1.5m in height, east side boundary has flank wall of outbuilding + wall/hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Detached two storey property with conservatory on rear, detached outbuilding on western side and single storey garage on eastern side with tarmac driveway. The property has red brickwork, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Main road comprising residential properties and apartments of various styles and designs.

RELEVANT SITE HISTORY

EG/108/87	Porch, cloakroom and study extension	ApproveConditionally 07-12-1987
EG/61/98/	Construction of new conservatory.	ApproveConditionally 18-09-1998
EG/134/80	Provision of new vehicular access existing access to be closed	ApproveConditionally 31-12-1980
EG/43/82	Extension to lounge with additional bedroom	ApproveConditionally

over

12-05-1982

REPRESENTATIONS

Representations received:

Eastergate Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	AREA1	Areas of Special Character
	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 seeks to construct a first floor extension on the rear of the dwelling which will comprise a bedroom with en-suite.

The existing single storey utility room extension is sited on the eastern side of the dwelling adjacent to the conservatory and the proposed hipped roof first floor extension will be sited above the utility room with the ridge height being the same height as the existing. It is considered that the extension is of an acceptable size and height that is visually subservient to the main dwelling.

With regard to residential amenity the immediate property to the east No 138 Barnham Road has a pitched roof outbuilding that is sited to the boundary with No 140 and approximately 3m away. With the absence of windows on the side elevations of the extension it is not considered that the proposal would detrimentally harm the occupiers of No 138 or any neighbouring property by way of an overbearing nature or loss of light.

The extension being sited to the rear will not be readily visible in the street scene, nor would it harm the established character and appearance of the Area of Special Character and surrounding residential area.

It is therefore recommended to approve the application, subject to conditions.

HUMAN RIGHTS ACT

FOR APPROVAL
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 for 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 (negative, Neutral or positive) 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).

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 1:1250/Block 1:500, Proposed Ground/First Floor 1:50 Rev B, Proposed Elevations 1:100 Rev B, Roof Plan 1:500 received on 28th March 2012.

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 No windows be constructed in the east side elevation of the first floor extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19, AREA1

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.