

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

**REF NO:** EG/31/15/HH

**LOCATION:** Woosters  
Church Lane  
Eastergate

**PROPOSAL:** Side & rear extensions & conversion of bungalow to house

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The existing property is a detached bungalow and the proposal involves the removal of the existing detached garage on the western side and rear conservatory with the replacement with a side, rear extension and first floor addition to provide a two storey dwelling.

**SITE AREA**

Approximately 675 square metres.

**RESIDENTIAL DEVELOPMENT DENSITY (NET)** N/A

**TOPOGRAPHY**

Predominantly flat

**TREES**

None of any significance affected by the proposed development.

**BOUNDARY TREATMENT**

Front has wall with wood infill panels approximately 1.8m in height and wooden ranch type entrance gates, east side boundary has close boarded fencing with established shrubs and trees, west side boundary has newly constructed close boarded fencing approximately 1.8m-2m in height, rear boundary has close boarded fencing plus established trees and hedging.

**SITE CHARACTERISTICS**

Detached bungalow with single storey extension on rear eastern side, conservatory on rear, detached garage on western side. Greenhouse and Summer House in rear garden. The property has light brown brickwork with tile hanging on front gables, tiled roof with white window frames.

**CHARACTER OF LOCALITY**

Residential comprising predominantly detached properties of various ages designs and styles. To the east is a two storey with dormers flat development The Corner House, to the west a detached bungalow.

## RELEVANT SITE HISTORY

Previous rear kitchen extension EG/121/78/B and porch extension EG/19/79/B the subject of Building Regulations approval.

## REPRESENTATIONS

### Representations received:

Eastergate Parish Council  
Awaited

1 Letter of Objection

At our end of Church Lane the buildings are all bungalows apart from the flats at the beginning of Church Lane. Changing from a bungalow to a house will cause us to lose all our privacy that we enjoy in our garden.

### Comments on Representations received:

Objection comments noted  
See Conclusions section of the Officer's report regarding residential amenity.

## CONSULTATIONS

Engineering Services Manager  
Engineers (Fluvial Flooding)

### Consultations responses received:

Engineers  
Surface water drainage should be provided for all new roof areas, prioritising infiltration.  
Please apply standard conditions ENGD2A.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

### Comments on Consultation responses:

Engineers comments noted  
If approved, a condition will be imposed regarding surface water drainage.

## POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

## DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [DEV19](#)  
[GEN2](#)  
[GEN7](#)

[Publication Version of the Local](#)

Extensions to existing residential buildings  
Built-up Area Boundary  
The Form of New Development  
D DM1 Aspects of Form and Design

Plan (October 2014):

Quality  
D DM4 Extensions and Alterations to  
Existing Buildings (residential and non-  
residential)  
D SP1 Design  
SD SP2 Built-Up Area Boundary

Barnham & Eastergate Neighbourhood Plan 2014  
POLICY ES5

Quality of design

## 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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kingston, Littlehampton, Rustington and Yapton.

The Barnham and Eastergate Neighbourhood Development Plan has been made and in this instance it is considered that policy ES5 is applicable.

#### **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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and residential amenities of the neighbouring property.

#### **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 site lies within the built up area boundary where extensions are acceptable in principle provided the proposal accords with policies GEN7 and DEV19 of the Arun District Local Plan. These set out the criteria against which applications for extension will be accessed.

The detached bungalow is located within an area containing a mix of house types, predominantly detached consisting of bungalows, chalet style properties and two storey houses. Woosters is sited on the northern side of the road where there are predominantly detached bungalows to the west and a two storey flat development to the east.

The proposal seeks to remove the existing detached garage on the western side with the removal of the rear conservatory and construct a side and rear extension with the provision of a first floor extension to provide bedroom accommodation. The property has previously been extended to the rear on the eastern side and this extension projects out by approximately 4.6m. The proposed side extension which has a hipped roof and is single storey in height will be sited to the western side boundary extending along the side elevation with a rear projection of approximately 4.6m. To provide additional light into this area two high level windows are proposed and two roof lights. The rear ground floor is to be extended in line with the existing extension and the proposed first floor addition will extend above the existing footprint and extended ground floor and will increase the overall height from 5.1m to 6.9m. The design and extent of the alterations proposed would not be visually subservient to the host dwelling.

The flat development to the east The Corner House is sited approximately 11m away. There are windows on the west side elevation at ground, first floor and dormers in the roof slope. The proposal has a window at first floor level on the east side elevation which serves a bathroom and, if approved, a condition will be imposed that this be obscure glazed. With considerable distance to this building it is not considered that the proposal would create a loss of outlook or daylight to the occupiers. The property to the rear Kuldana which is a detached bungalow is sited approximately 26m away. The addition of windows at first floor level has the potential for

overlooking onto the rear garden, however, with considerable distance to this property and tree screening to the rear boundary it is not considered that this would create harmful overlooking or loss of outlook.

The immediate property to the west Strathcoma is a detached bungalow and the proposed extension will be sited approximately 2m away. With its overall height and close proximity to this property it is considered that the proposal would create a loss of outlook and daylight to the occupiers.

The proposed extension would occupy a significant amount of the existing open area to the west and overdevelop the site, character and appearance of the dwelling. By virtue of its extended footprint and height it would not sympathetically relate to and visually integrate with the existing form of the building. Whilst I can appreciate the applicants desire for more living accommodation, this does not outweigh the long term harm caused.

Taking this into account, it is considered that this would conflict with policies GEN7 & DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

It is therefore recommended that the application be refused for the following reasons.

#### **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), 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 a neutral impact has 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**

##### **REFUSE**

1 The proposal by way of its extended footprint, height and visual prominence would not

appear subservient and visually integrated with the host dwelling in conflict with policies GEN7 & DEV19 of the Arun District Local Plan and policies DSP1 & DDM4 of the Emerging Local Plan.

- 2 The proposal by reason of its extended height and close proximity to the boundary would be detrimental to the residential amenities of the occupiers of the neighbouring property to the west Strathcoma in conflict with policies GEN7 & DEV19 of the Arun District Local Plan and policies DSP1 & DDM4 of the Emerging 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 identifying matters of concern with the proposal and determining the application within a timely manner. 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 clearly been identified within the reasons for refusal, approval has not been possible.