

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

REF NO: EG/6/15/HH

LOCATION: 75 Elm Grove
Barnham
PO22 0HE

PROPOSAL: Rear single storey kitchen extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed single storey extension measures approximately 4m in width, depth of 4m with a maximum height of 4.6m.
SITE AREA	Approximately 510 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front is partly open with close boarded fencing and hedging approximately 1.8m in height, side and rear boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with detached garage on western side. The property has rendered walls painted white, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising a mixture of two storey dwellings, detached bungalows in Oriel Close.

RELEVANT SITE HISTORY

EG/13/60	Garage	Approve 17-08-60
EG/20/57	4 Bungalows	ApproveConditionally 18-09-57
EG/38/90	Proposed extension to form bedroom and alterations to existing bedroom.	ApproveConditionally 18-06-90

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Eastergate Parish Council
Awaited

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Engineering Services Manager
Engineers (Fluvial Flooding)

CONSULTATION RESPONSES RECEIVED:

Engineers comments in respect to surface water drainage:
A SuDS system (Sustainable Drainage System) must be investigated for surface water disposal, ie. soakage structures.

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 BRE 365, 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. The Council undertake groundwater monitoring at a location opposite this property. The peak groundwater level recorded is generally up to 0.45 metres below ground level in the winter.

COMMENTS ON CONSULTATION RESPONSES:

Engineers commented 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 Local Plan 2011 - 2031:](#)

DEV19 Extensions to existing residential buildings

Applications for new development must meet the local drainage requirements

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).

The Barnham & Eastergate Neighbourhood Development Plan has been made and in this instance it is considered that policy ES1 applies.

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.

CONSIDERATION OF ALTERNATIVE SITES

FOR TEL's only

The applicants report received with this application explains that alternative sites have been considered. These include the following:

(List site address and reason discounted)

CONCLUSIONS

The application seeks to construct a single storey extension on the rear of the dwelling.

The single storey extension will infill the area on the eastern side of the dwelling to create an extended kitchen and will be set in line with the side and rear flank wall of the dwelling. It will have a hipped roof that will replicate the roof on the western side of the dwelling. The extension is considered to be visually subservient to the host dwelling.

The bungalow to the rear No 15 Oriel Close has a conservatory on the side elevation and is sited approximately 12m away. With adequate distance it is not considered that the extension would give rise to a loss of outlook. The extension being set in line with the rear flank wall of the dwelling will not be readily visible to the neighbouring property to the west No 76. The immediate bungalow to the east No 17 Oriel Close is sited approximately 3m away. This property has two windows on the side elevation facing the proposal which are obscure glazed and serve a bathroom and wc. With its single storey height and roof sloping away from the boundary it is not considered that the extension would give rise to loss of outlook or daylight to the occupiers to recommend refusal.

The extension being set lower than the main ridge height will not be visible to the front so will not compromise the pattern of the street scene. It would not have a significant impact on the visual amenities of the locality or an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings.

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

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 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

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 received on 23rd January 2015.

Site 1;1250 Drg No 01/15/1 Page 1 dt 9.1.15 .

Block 1:500 Drg No 01/15/2 Page 2 dt 23.1.15.

Existing Floor/Elevations/Roof Drg No 01/15/1 Page 3 dt 9.1.15.

Proposed Floor/Elevations/Roof Drg No 01/15/1 Page 4 dt 9.1.15.

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.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.