

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

REF NO: EG/77/17/HH

LOCATION: The Thimbles
80 Barnham Road
Barnham
PO22 0ES

PROPOSAL: Replacement of existing thatch roof on a like for like basis, using a master thatcher.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.03 hectares.
TOPOGRAPHY	Predominantly flat
BOUNDARY TREATMENT	1.8m wall to front, 1.8m fence to sides and rear.
SITE CHARACTERISTICS	Detached two storey, grade II listed building with part thatched roof, detached garage to side and parking with garden to rear and side. The front of the property abuts the public highway.
CHARACTER OF LOCALITY	Village centre location, on the edge of an area of special character. Buildings are mainly two storey, some set back from the road. Mixture of commercial and residential uses.

RELEVANT SITE HISTORY

EG/25/99/	Amendment/alteration of garage details (formerly approved by Consent EG/87/98) to form staff office ancillary to registered care home.	ApproveConditionally 20-05-99
EG/87/98/	Erection of new garage, layout for driveway access (from main drive) and construction of 1.75m high close boarded fence within curtilage of dwelling.	ApproveConditionally 10-02-99
EG/61/92	Temporary workshop for remedial work to house	ApproveConditionally 17-02-93
EG/120/87	Proposed increased height of approved garden wall to two metres	ApproveConditionally 25-01-88

EG/114/87	Two storey extension to the rear together with minor alterations to the existing fenestration	ApproveConditionally 04-01-88
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EG/68/87	Two storey extension to rear, minor alterations to the existing fenestration and new boundary wall	ApproveConditionally 21-09-87
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None relevant. Concurrent LBC for replacement thatch being considered.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Eastergate Parish Council

An objection.

"The council is concerned as to obstruction of the footpath/roadway during these proposed works. It is felt that precautions need to be taken in conjunction with WSCC"

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The applicant will have to agree with the Highways Authority if they need to use the public footpath to replace the thatched roof. This is not a reason to withhold planning permission.

CONSULTATIONS

Building Control

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

No comments received. Comments have been provided for the concurrent listed building consent.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Barnham area of special character
Within the built up area boundary
Lidsey Foul Water Catchment Area

DEVELOPMENT PLAN POLICES

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

AREA1 Areas of Special Character

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage

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
HER DM1 Listed Buildings
HER DM4 Areas of Special Character
HER SP1 The Historic Environment
SD SP2 Built -Up Area Boundary
W DM2 Flood Risk
W DM3 Sustainable Urban Drainage Systems

<u>Barnham & Eastergate Neighbourhood Plan 2014</u> <u>POLICY ES1</u>	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6	Contribution to local character
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES7	Development affecting heritage assets
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8	Buildings should be designed to reflect the three-dimensional qualities of traditional buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD8	Areas of Special Character
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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.

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.

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 development is considered to comply with the relevant Barnham & Eastergate NDP policies.

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 or listed building or its setting. The replacement of the thatched roof is considered to have a positive impact on the visual amenity of the area of special character.

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 development would replace the existing thatched roof so will have a limited impact in terms of impact on visual or residential amenity.

The replacement would improve the appearance from the existing old thatched roof so is considered to have a positive impact on the area of special character, the listed building and its setting.

There would be no significant change in the level of surface water run off from the thatched roof being replaced. As such it is not considered the development could lead to an increase in the risk of surface water flooding.

The development is considered to comply with the development plan and its policies and is recommended for conditional approval.

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:

HM Land Registry
001 Rev A
002 Rev A

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 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.
- 4 INFORMATIVE: Please note, this decision is made in conjunction with EG/78/17/L.