

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

REF NO: EG/81/18/HH

LOCATION: 73 Barnham Road
Eastergate
PO22 0EP

PROPOSAL: Proposed conservatory to the rear and side elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a conservatory to the rear and side elevation the dwelling.

RELEVANT SITE HISTORY

EG/81/06/	Erection of open fronted double garage	Refused 20-11-06
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Eastergate Parish Council provided no response.
No representation from nearby occupiers.

CONSULTATIONS

Engineers (Drainage)
Engineering Services Manager
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - Request standard informative is included.
Engineers (Drainage) - Request standard condition is included.

Comments noted. Due to the development being only slightly larger than what can be constructed without permission, it is not considered necessary to apply the drainage condition.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICES

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

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design
[POLICY ES5](#)

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 relevant development plan policies. The key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Barnham has a 'made' Neighbourhood Plan with policy ES5 of relevance to the determination of the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal is sited to the rear and side of the dwelling however with sufficient boundary treatment to the front of the dwelling and a garage situated to the side of the dwelling which restricts views, there are unlikely to be any views from the street scene.

The proposal is modest in size and appears well integrated with the host dwelling and will be constructed of part glass and brick which will match that of the existing dwelling.

Due to the siting with limited viewpoints from the street scene the proposal is not considered to give rise to any adverse impacts upon the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal has a width of 3.15m and extends to a maximum depth of 4.95m. It extends 1m beyond the rear elevation and 1.7m beyond the side elevation of the dwelling. It is proposed to a height of approximately 3.25m.

Due to its position it retains 4.8m to the southern boundary and 38m to the rear. This is sufficient separation in which the proposal is not considered to give rise to any overshadowing or overbearing impacts. With the proposal at single storey any views will be restricted by the boundary treatment fencing and it is not considered that any additional overlooking would be significant upon neighbouring amenity.

The proposal is not considered to give rise to any adverse impacts upon neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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
 - Block Plan
 - Location Plan
 - Proposed Elevations - AL/18/004
 - Proposed Floor Plan - AL/18/003

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** Surface water drainage should be designed and constructed to comply with building regulation requirements. Infiltration should be fully investigated, if however it is found that infiltration does not work controlled discharge to ordinary watercourse will be required. The applicant should be aware that any proposals to discharge flows to a watercourse require Ordinary Watercourse Land Drainage Consent prior to works.

Arun District Council requires 3m clearance between any structure and the bank of an ordinary watercourse and 3m clearance between any structure and a culverted ordinary watercourse. This is to ensure that no construction will occur that will limit the current or future landowners ability to conduct maintenance to the watercourse in line with their responsibilities under the Land Drainage Act 1991.

- 4 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.