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

REF NO: AL/39/26/HH

LOCATION: Long Meadow
Dukes Road
Fontwell
BN18 0SP

PROPOSAL: Detached annexe with basement storage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AL/104/10/	Detached pool annexe	ApproveConditionally 29-11-10

REPRESENTATIONS

Aldingbourne Parish Council- Objection summarized:
- Concerns are raised regarding surface water management, potential impacts on the water table, flood risk, and the destination of surface water runoff, with reference to ANP Policy EH5 and the concerns identified by the drainage engineer.
- The Parish Council considers the description of the site as being within the central urban area of Fontwell to be misleading and inaccurate.
- The proposal is considered to be out of character with the area and contrary to ANP Policy H3.1 relating to local character.
- Concerns are raised that the submitted Biodiversity Report is insufficient, given the site's biodiversity value and potential presence of bats, and that further information should be provided to demonstrate biodiversity net gain.
- The development should have regard to the village's Unlit Village Status and comply with ANP Policy EH10 regarding dark skies.

2 letters of representation of no objection received from nearby occupiers summarized:
- Concerns raised that the Biodiversity Statement incorrectly describes the site as being within a central urban area, as Dukes Road is considered rural in character and located adjacent to the South Downs National Park.
- Queries raised regarding the need for the annexe to be detached from the main dwelling.
- Concerns expressed about the scale of the basement storage and inclusion of kitchen and bathroom facilities, with questions as to whether the development could facilitate future use as a separate dwelling.
- Concern that the proposed materials may not reflect the character of the local area.
- Reference made to previous planning decisions and appeal outcomes which sought to protect the rural

character of the area.
- No objection to the proposal, provided it remains ancillary to the main dwelling and is not used as a separate unit of accommodation.

OFFICERS COMMENTS ON REPRESENTATION
Comments noted and addressed in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage)- Objection raised in relation to runoff destination and extreme rainfall and flooding.

Natural England- No response received.

Portsmouth Water
- The proposal is unlikely to increase water quality risks, despite the site's sensitive location and the proposed use of soakaways.
- Further investigation is recommended to establish whether groundwater levels could affect the proposed basement during wetter winter months.
- It is noted that a connection to the foul sewer in Dukes Road may be available for foul water drainage.

Environment Agency
- Having reviewed the submitted details, including the proposed basement, the Environment Agency raises no objection and has no further comments to make on the application.

OFFICER COMMENTS ON CONSULTATION
Comments noted.

POLICY CONTEXT

Outside of Built-Up Area Boundary.
Source Protection Zone 2.
Lidsey Treatment Catchment Area.
CIL Zone 3.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

Aldingbourne Neighbourhood Plan 2019-31 Policy H3	Housing Density
Aldingbourne Neighbourhood Plan 2019-31 Policy EH5	Surface water management
Aldingbourne Neighbourhood Plan 2019-31 Policy EH10	'Unlit Village' status

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

CONCLUSIONS

DESIGN AND VISUAL AMENITY
The application site comprises a detached two-storey dwelling located at Long Meadow, Dukes Road, Fontwell.

Planning permission is sought for the erection of a detached ancillary annexe together with associated basement storage.

The proposed annexe would measure approximately 10m in width and 5m in depth and would incorporate a flat roof form with a maximum height of approximately 3m. External finishes would comprise Marley Cedral cement board cladding in a slate grey colour. Fenestration would consist of a uPVC entrance door, a two-pane window and a three-pane window within the front elevation, together with a high-level horizontal window within the rear elevation.

The annexe would be positioned within the south-eastern corner of the site. Owing to its set-back position, approximately 4m from the north-eastern boundary, and the presence of established boundary vegetation, the structure would not be readily visible from the public realm and would have a limited presence within the street scene. Whilst the proposed cladding would not match the materials of the host dwelling, the use of such materials is common for ancillary outbuildings and annexes of this nature. The proposed external appearance would therefore be acceptable and would not result in harm to the character or appearance of the host dwelling or the wider locality, in accordance with Arun Local Plan (ALP) policy D DM1.

Given the scale of the proposal, the annexe would be of an appropriate size for an ancillary annexe to the host dwelling. The proposal would not include separate vehicular access, dedicated parking provision, or independent private amenity space, all of which support its intended ancillary relationship with the main dwelling. In the event that planning permission were granted, it would be appropriate to impose a condition requiring the annexe to remain incidental and ancillary to the occupation of the principal dwellinghouse and preventing its use as a separate self-contained unit of accommodation. As such, the proposed development would be in compliance with Aldingbourne Neighbourhood Plan (ANP) policy H3 and Arun Local Plan policy D DM1.

The proposed basement storage would be situated partly beneath the annexe and would measure approximately 10m in width by 5.4m in depth. It would connect to an additional underground storage area measuring approximately 7m in width and 5.4m in depth at its widest point, narrowing to approximately 3.2m. Access would be provided via a staircase leading to the surface, located approximately 4.9m from the southern elevation of the proposed annexe and also through the annexe itself. The staircase would terminate in an open bulkhead structure measuring approximately 1.3m in width, 3m in depth and 1.2m in height.

Given the predominantly underground nature of the basement, it would not be visible within the street scene, with only the staircase bulkhead projecting above ground level. Due to its limited scale and height, and the screening afforded by the proposed annexe and existing landscaping, the bulkhead would have a negligible visual impact. Furthermore, it would utilise matching materials to the annexe, ensuring a cohesive appearance across the development.

Concerns have been raised regarding the protection of dark night skies in accordance with policy EH10

of the ANP. Given the scale and ground floor sitting of the proposed development, the proposal would not result in any unacceptable level of light pollution or harm to the character of the area. As such, it would not be reasonable to refuse the application on this basis.

Representations have also been received in relation to biodiversity net gain (BNG). However, the proposal constitutes householder development and is therefore exempt from the statutory BNG requirements. In accordance with Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, householder applications are not required to submit a biodiversity gain plan.

Overall, the proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with Arun Local Plan policies D DM1 and D DM4 and the Arun Design Guide.

RESIDENTIAL AMENITY

The nearest neighbouring residential property to the proposed development is Beech Croft, which is located approximately 45m to the north-west of the application site. Given this substantial separation distance, the proposed development would not result in any impact on the residential amenities of the neighbouring occupiers in terms of overbearing, overshadowing or overlooking.

The proposed fenestration is predominantly located within the front (west) elevation of the annexe and would principally overlook the private amenity space associated with the host dwelling. As such, these openings would not result in any material loss of privacy or overlooking of neighbouring residential properties.

The annexe would be positioned approximately 2.9m and 2m from the eastern site boundary. No neighbouring residential properties are located beyond this boundary, and the development would benefit from additional screening provided by established mature vegetation. Whilst a single high-level window is proposed within the rear elevation, the separation distances involved, together with the screening afforded by existing landscaping, are such that the proposal would not give rise to overlooking, loss of privacy, overshadowing or an overbearing impact upon neighbouring occupiers.

The proposed development would not result in harm to neighbouring amenity, in accordance with ALP policies D DM1 and D DM4.

DRAINAGE

The application site lies within Lidsey Wastewater Treatment Catchment Area, where the management of surface water drainage is a consideration in reducing flood risk in the locality. It is recognised that the public sewer network within the catchment has a history of flooding, and the introduction of additional surface water flows to this system has the potential to exacerbate existing flood risk. This concern is of particular relevance given the proposed basement storage accommodation, which, by its underground nature, could be vulnerable to flood events.

It is noted that the Council's Drainage Engineers have objected to the proposal. Furthermore, the development does not benefit from a permitted development fallback position, giving its siting, and therefore requires robust evidence to demonstrate that an appropriate and sustainable drainage strategy can be achieved. Whilst the submitted Drainage Assessment proposes the disposal of surface water via infiltration, no supporting ground investigation or infiltration testing has been provided to demonstrate that this approach is feasible. In addition, the assessment does not adequately demonstrate that alternative methods of surface water disposal have been considered or discounted where necessary.

The outline drainage calculations submitted are also not considered to accord with sustainable drainage requirements. The proposed drainage strategy does not demonstrate that the additional impermeable

area will be appropriately attenuated, nor that the infiltration system has been designed and sized to accommodate extreme rainfall events, including those associated with larger return period storms.

Concerns have also been raised regarding the proposed external staircase, which appears to be open to rainfall. This could result in the accumulation of surface water at the base of the stairwell, creating a potential pathway for flooding of the basement. Further clarification is therefore required to demonstrate how flood risk to the basement would be avoided. The proposal does not adequately address the management of exceedance flows or extreme rainfall events and is not compliant with the requirements of National Standards for Sustainable Drainage (NSfS).

The proposal is contrary to ALP policies W DM1 and W DM3 and ANP policy EH5 as the site lies in the Lidsey Treatment Catchment Rea and insufficient information has been provided to ensure that the site drains sustainably. There is insufficient information to prove that the development will not increase flood risk elsewhere, contrary to Arun Local Plan policies W DM1 and W DM3 and the NPPF.

SUMMARY
The proposed development is contrary to ALP policies W DM1 and W DM3 and with the NPPF, as such is recommended for refusal.

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), 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

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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

REFUSE

1 By virtue of the location of the application site within the Lidsey Treatment Catchment Area,

insufficient information has been provided to evidence that the proposed drainage scheme is adequate for the site, and that the development would not increase flood risk. The proposed development is therefore contrary to Arun Local Plan policies W DM1 and W DM3 and the NPPF.

2 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

The development shown on the following plans is hereby refused:
- Site plan and location plan
- Proposed basement floor plan and sections
- Proposed basement floor plan