

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

REF NO: AL/56/26/HH

LOCATION: 32 Ivy Lane
Westergate
Aldingbourne
PO20 3RE

PROPOSAL: Rear and side single storey extension to dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AL/38/25/PDH	Notification under extended permitted development rights for a single storey rear extension measuring 6m from beyond the rear wall of the original dwelling house, with a maximum height of 3.4m and an eaves height of 2.8m	Prior Approv not req 11-06-25
AL/8/24/HH	Single storey side and rear extension.	ApproveConditionally 28-03-24

REPRESENTATIONS

Aldingbourne Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers - Objection.

Runoff destination

2.1Discharge to the ground is proposed via a new soakaway located in the rear garden, and we support this approach in principle, as infiltration is the highest priority in the drainage hierarchy after water reuse and aligns with Standard 1 of the National Standards for SuDS (NSfS). However, the necessary evidence to demonstrate that infiltration is viable has not been provided. Fundamental information, such as groundwater monitoring data and infiltration testing results, have not been provided. Furthermore,

should infiltration be proven unviable, no alternative discharge location has been identified. Consequently, it has not been demonstrated that the site can be sustainably drained, and we object to the proposal.

2.2 To achieve an infiltration design, winter groundwater levels must be monitored to ensure that 1m of unsaturated ground is allowed for between the base of the soakaway or infiltration structure and the peak groundwater level. Ground conditions and infiltration potential are very variable in Westergate. Infiltration can be possible, but in parts, groundwater can be high or infiltration rates so low as to make infiltration unviable. This must be demonstrated by the applicant.

2.3 Standard 1 of the NSfS states that runoff from development shall be discharged to the final destination in accordance with the following hierarchy:

- 1 - Collected for non-potable use.
- 2 - Infiltration to the ground - proposed but not proven
- 3 - Discharge to an above ground surface water body - watercourse (main river) found to the east of site.
- 4 - Discharge to a surface water sewer - public surface water sewer to north/north-east
- 5 - Discharged to a combined sewer - none available.

2.4 It is essential that each discharge destination is considered in strict priority order, with higher priority options fully explored and demonstrably exhausted before progressing to lower priority alternatives. Robust evidence must be provided to discount a higher priority destination. In this case, no groundwater monitoring or infiltration testing has been submitted, meaning infiltration to ground, being a higher priority discharge method, has not yet been ruled out and must be properly assessed before considering subsequent options.

2.5 A 'main river' can be found approximately 90m to the east of site. The proposal would need to cross third party land (via an area of woodland) to reach this discharge location and the relevant consents would be required.

2.6 The Environment Agency is the management authority for the main river. No evidence has been submitted to demonstrate that they have consented to any proposed works. Furthermore, the proposed discharge rates, volumes or flow parameters will also need to be agreed by this Authority to support a Flood Risk Activity Permit. This is an expectation of the NSfS.

2.7 A public surface water sewer can be found running approximately 125m to the north/north-east

2.8 No evidence or permission has been provided to confirm whether discharge to the public surface water drainage system is permitted, or whether the sewer has sufficient hydraulic capacity. The applicant has not provided any further information on how they may drain the site if infiltration is later found to be unviable or the connection to the surface water sewer can be achieved.

2.9 The application site is in the Lidsey Wastewater Treatment Catchment Area. This catchment is the subject of a surface water management plan due in part to the recognised history of foul sewer flooding. It is important to ensure that future development does not exacerbate this problem.

Extreme rainfall and flooding

4.1 At present, no modelling or supporting evidence specific to this development; such as ground investigations or drainage plans have been submitted for engineering assessment. In the absence of this evidence, we cannot assess if flood risk will be increased by the proposed development. Therefore, this application does not accord with the NPPF as set out above and we object to the proposal.

POLICY CONTEXT

Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a two storey semi-detached property. The extension is a single storey side and rear wraparound. The side extension sits behind an existing protrusion with a catslide roof on the south elevation.

The extension has a depth of 5.5m from the rear elevation and spans the width of the rear elevation. The extension projects 2.4m beyond the side elevation to the south, in line with the existing side projection (utility and storeroom). While the depth of the extension exceeds Arun Design Guide (ADG) advice for semi-detached dwellings, the resultant garden depth would be policy compliant, therefore would not result in harm to design or visual amenity. The side extension element would maintain the 4.9m gap to the southern boundary, compliant with ADG advice.

The extension has a crown roof which is approximately 3.3m high, and the rooflight to the rear is an additional 0.3m in height. There are a variety of extensions in the locality, exhibiting different form and materials. The proposal would not result in harm to the character or visual amenity of the host dwelling or wider area.

The external materials would be face brick, with clay tiles on the pitched section of the roof. Fenestration would be dark grey UPVC units. These materials reflect those of the existing dwellinghouse and would accord with Arun Local Plan policies D DM1 and D DM4.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The extension is substantial in size and is set in 0.35m from the northern boundary. The proposal conflicts with the 45-degree rule set out in the Arun Design Guide, meaning that there will be some overbearing and overshadowing of the property to the north. However, given the existing boundary treatment and sensitive roof form, the level of harm is not unacceptable and does not warrant the refusal of planning permission in this instance.

Considering the single storey nature of the proposal, any views from the windows on the south and east elevation would be of the rear garden, resulting in no harm by way of overlooking.

While the proposal conflicts with aspects of the Arun Design Guide, the proposal would be broadly in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring amenity.

LIDSEY TREATMENT CATCHMENT AREA

The site is located within a Local Lidsey Flood Risk Area. As such, the Council's Drainage Engineers have been consulted on the proposed development.

The drainage engineers have objected on the grounds that no surface water runoff location has been provided, as required by Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS). They also objected on the grounds that flood risk may be increased elsewhere.

As illustrated by the Lidsey Statement submitted with the application, an extension of a similar size could be constructed under permitted development rights. Further to this, the extension replaces some built form and would be partially erected on existing hard standing. Therefore, given the permitted development fallback position would result in an extension of the same floor space as the current proposal, it would not be reasonable to refuse this application on drainage grounds. It is acknowledged that a drainage condition was attached to the previously granted planning permission reference AL/8/24/HH, however, the current proposal is for a reduction in depth and floor space when compared to the previously approved extension, thus the resultant extension would be equivalent to an extension which could be constructed under the larger homes extensions permitted development criteria. Therefore, it is not reasonable to attach any drainage conditions to this planning permission.

The proposal is therefore in accordance with Arun Local Plan policies W DM1 and W DM3.

SUMMARY

The proposal is in accordance with relevant development plan policies and is therefore 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

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 not CIL liable.

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:

Location Plan
Block Plan F
Proposed Elevations B
Proposed Ground Floor Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **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 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 NPPF.