

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

REF NO: WA/114/21/HH

LOCATION: 27 Oaktree Cottages
Barnham Lane
Walberton
BN18 0AY

PROPOSAL: Erection of single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a single storey rear extension that projects approx. 3.3m off and 6.6m across the rear of the property, connecting to the existing rear utility room.

REPRESENTATIONS

Walberton Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council - Drainage Engineer comments:

The application is within the Lidsey Treatment Catchment, therefore surface water drainage design should be carefully considered. Infiltration must be fully investigated. There is a culverted main river running through the back garden of the property. The proposed extension is no closer to the culvert than the existing dwelling. Part of the rear garden is also in flood zone 2, with parts at risk of surface water flooding. However, the proposed extension is within the area at low risk of flooding.

Conditions and informatives:

- PCENG2 and INFORMD

OFFICER COMMENTS ON DRAINAGE:

Although the above condition and informative have been requested, given the scale of the development and based on the assumption that the increase in impermeable area may be considered equivalent to what may be achieved under permitted development, the condition and informative have not been applied.

POLICY CONTEXT

Built-up area boundary.

Lidsey Treatment Catchment.

DEVELOPMENT PLAN POLICIES

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

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality

[Walberton Neighbourhood Plan Policy 2019-2031](#) Design Guidance
[HP13](#)

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

PRINCIPLE

In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031), HP13 of the Walberton Neighbourhood Development Plan and section M of the Arun design guide.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HP13 of the Walberton Neighbourhood Development plan states that where new development would have an effect on the appearance or character of the surrounding area, it is to be of a high quality of design, and must contribute to local character. In this instance, the proposal complies with policy HP13.

The Arun Design Guide was adopted with Section M relating to householder extensions. This section sets principles for high quality development design for extensions and introduces the 45 and 60 degree rules. The 60 degree rule applies to single storey rear extensions on semi-detached dwellings and aims to minimise the effect of overbearing designs and prevent excessive obstruction of sightlines. The 45 degree rule for light accessibility, aims to gauge and reduce adverse impacts by way of overshadowing.

DESIGN AND VISUAL AMENITY

The host dwelling is a semi detached two storey dwelling with an existing rear utility room that projects approx. 3.3m off of the rear elevation. This proposal seeks to erect a single storey rear extension

between the existing utility room and the western (side) site boundary. Section M of the Arun Design Guide states that single storey rear extensions that extend up to 3.3m are generally acceptable. The proposal is 3.3m in depth, 6.6m in width and alters the design of the utility room to match and integrate with the rear extension. The scale is subservient to the host dwelling and retains approx. 28m of rear private amenity space.

With regard to form, the design of the proposal integrates well with the dwelling. Although the materials proposed do not match those on the dwelling, the proposal is to the rear of the property and is not visible from the street. As such, the proposal does not give rise to adverse visual impacts on the street scene and will not adversely impact the character of the area.

The proposal complies with policies D DM1 & D DM4(a),(b), (e) of the Arun Local Plan, HP13 of the Walberton NP and section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The attached neighbour dwelling is the only property of concern when considering residential amenity impacts due to the siting of the property. The extension is separated from the western site boundary by 0.15m which borders the attached neighbour dwelling and the rear extension is to reach a height of approx. 4m featuring a pitched roof design with eaves that sit at approx. 2.6m.

Section M of the Arun Design Guide sets out the 45 degree rule when considering light accessibility. The height and design of the roof at the western site boundary is such that there would be an intersection of this 45 degree rule. The intersection is minimal and not considered to give rise to any significantly adverse impacts by way of overshadowing or loss of light on the attached neighbour dwelling due to the single storey nature of the proposal.

Section M of the Arun Design Guide sets out the 60 degree rule when concerning rear viewpoints from neighbour dwellings and single storey rear extension proposals. The depth of the proposal is such that the 60 degree sightlines from the rear of the attached neighbour dwelling are not intersected. Therefore, there are no adverse impacts by way of overbearing.

Featured within the proposal are a set of glass sliding doors and 3 No. rooflights to the rear of the extension. The set of glass doors look out to the rear garden and give no rise to adverse impacts by way of overlooking. Equally, the 3 No. new rooflights give no rise to adverse impacts by way of overlooking due to their height of approx. 3.2m above finished floor level.

By virtue of not being overshadowing, overbearing or overlooking the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposal is in compliance with relevant development plan policies. As such, it is recommended for approval subject to the following 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 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.

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:

- Plans (20/01/22)
- Location and Block Plans (28/01/22)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun 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.