

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

REF NO: WA/11/26/HH

LOCATION: Rose Cottage
Dairy Lane
Walberton
BN18 0PT

PROPOSAL: Construction of a detached, single storey, timber framed granny annexe for ancillary use to the main dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
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REPRESENTATIONS

Walberton Parish Council - No objection subject to the following:

- That the granny annexe remains ancillary to the main dwelling and not sold separately.
- That the granny annexe remains part of the land registry title deeds for this property.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS - Objection on the grounds of

1. Runoff destination
3. Extreme rainfall and flooding.

POLICY CONTEXT

Built Up Boundary Area.

Within an area with potentially high ground water.

Lidsey Treatment Catchment Area.

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

[Walberton Neighbourhood Plan Policy 2019-2031](#) Housing Density
[HP11](#)

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**DESIGN AND VISUAL AMENITY**

The site is a semi-detached dwelling located at Rose Cottage, Dairy Lane. This application seeks planning permission for the construction of a detached, single storey, timber framed granny annexe for ancillary use to the main dwelling. The proposal is sited to the rear of the application site (east).

The detached single storey annexe would have a width of 7m and a depth of 4.4m. The annexe would have a mono-pitched roof with maximum height of 2.8m and an eaves height of 2.6m facing the host dwelling, sloping downwards to a height of 2.5m adjacent to the rear (east) boundary.

The annexe would be finished with timber cladding and the roof in EPDM. Fenestration to the front (west) elevation would comprise a double door with vertical single window either side and a high level horizontal small window, all finished in UPVC. The use of the proposed materials ensures the proposed annexe integrates appropriately with its garden surrounding and preserves its character, in accordance with Arun Local Plan policy D DM1, the Arun Design Guide (ADG) and Walberton Neighbourhood Plan (WNP) policy HP13.

Given that an outbuilding, albeit not in use of an annexe, of a similar footprint could be constructed under permitted development, the scale, form, and appearance of the proposed annexe are considered appropriate in relation to the host dwelling. It is noted that the proposed annexe would reduce the amount of amenity space to the rear of the host dwelling which is already constrained, however, the host dwelling is set back within its plot, thus there is a large front amenity space serving the dwelling. Accordingly, a condition is attached to this planning permission to ensure that the annexe remains ancillary to the host dwelling.

The proposed single storey annexe would not be visible from the main road due to its location within the rear garden of the application site, and the proposal would not result in any harm to the character of the street scene.

The proposed detached single storey annexe is of an appropriate size, scale, and design, and would not result in harm to the character or appearance of the host dwelling, the street scene, or the wider locality. The materials and fenestration are in keeping with its context. The proposal is in accordance with Arun Local Plan policy D DM1, the ADG and WNP policy HP13.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed detached single storey annexe would be set in 1m from the eastern (rear) boundary, 1m from the southern (side) boundary and 2.4m from the northern (side) boundary.

The proposal would occupy most of the rear amenity of the host dwelling, although it would retain sufficient separation distances to neighbouring properties and the existing high boundary treatment would be retained. The rear of the annexe would have a height of 2.5m adjacent to the rear eastern boundary. It is noted that the neighbouring property to the east is orientated such that the western flank

elevation of this neighbour faces the rear boundary of the application site. As such, given the height of the outbuilding and the spacing maintained between the outbuilding and the rear (eastern) boundary, the proposal would not result in overshadowing or overbearing impacts to the neighbour to the east.

Given the siting of the annexe, and the spacing maintained between the annexe and the adjacent neighbouring properties to the north and south, the proposed annexe would not result in overbearing or overshadowing impacts to these neighbouring properties.

Proposed fenestration on the front (western) elevation would have an outlook of the garden amenity serving the host dwelling. Due to the separation distances maintained from the neighbouring properties (north, south, and east) the proposal would not result in any overlooking or loss of privacy to neighbouring properties.

The proposal would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policy D DM1, the ADG and WNP policy HP11.

DRAINAGE

The site is located within the Lidsey Treatment Catchment Area, where the management of surface water drainage is a consideration in reducing flood risk so the proposed development needs consideration under Arun Local Plan policies W DM1 and W DM3 and the National Planning Policy Framework (NPPF).

Paragraph 181 of the NPPF (2024), states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

A Lidsey Drainage Impact Assessment accompanies this application. The Drainage Engineers have been consulted on this application and have objected on the grounds of runoff destination and extreme rainfall and flooding.

The Drainage Engineers objection is noted and that the proposal is not compliant with national standards (Standard 1 of the NSfS). However, an outbuilding of a similar footprint could be constructed under permitted development and therefore, on balance, it would not be reasonable to refuse planning permission on this basis.

The proposed annexe would be built over suburban garden and would result in a minor increase in surface water runoff to the rear garden of the host dwelling. However, it is not expected to significantly increase flood risk to the rear garden, the wider site, or surrounding properties. Therefore, the proposed development is acceptable in accordance with Arun Local Plan policies W DM1 and W DM3 and the NPPF.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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:
 - Site Location Plan 001.
 - Proposed Block Plan 102.
 - Proposed Site Plan 103.
 - Outbuilding Plans 110.
 - Proposed Elevations 120.
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.
- 3 The proposed outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Rose Cottage, Dairy Lane as a detached annexe and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 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).

- 5 INFORMATIVE: The applicant is reminded that surface water must not be discharged into the foul sewer. The foul sewer is not a recognised disposal location in the Standard 1 of the NSfS. It is important to recognise that combined sewers are intentionally designed to take both foul and surface water runoff. Even if the foul sewer has the capacity to accommodate additional flows or has an element of surface water already in it, it is not considered combined.
- 6 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.