

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

REF NO: WA/19/15/HH

LOCATION: Larchfield
Wandleys Lane
Walberton

PROPOSAL: Demolition of existing garage & construction of replacement garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is to extend the existing garage in width, height and depth. It would remain flat roofed and would increase the height by 40cm, the width by 70cm and the depth to the north west to the rear by 2.5m. It would be constructed of red/brown multi stock bricks with a membrane roof.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Site frontage hedging and fencing to approx. 2m. Fencing on side boundary to approx. 2m height to east.

SITE CHARACTERISTICS

Detached dwelling with flat roofed brick garage forward of dwelling.

CHARACTER OF LOCALITY

Predominantly rural. Dwellings are located along the road frontage and vary in design and style. They are mainly detached and set back from the frontage.

RELEVANT SITE HISTORY

WA/55/93	Erection of detached garage and extension to porch	ApproveConditionally 01-11-1993
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REPRESENTATIONS

Representations received:
Walberton Parish Council
No Objection

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water - No Objection. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site. The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119)

Due to surface water inundation issues in the Lidsey Catchment. The applicant is advised to adopt, where appropriate, the measures in the table 'Practical measures to reduce the potential impacts of development'.

The Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7

[Publication Version of the Local Plan \(October 2014\):](#)

The Form of New Development

D DM1 Aspects of Form and Design Quality

D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local

Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. Walberton Parish Council NP is under preparation.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The existing garage was approved in 1993 and is located forward of the property and is not readily visible in the street scene. The proposed garage extension would be located to the rear and side of the existing garage. The height would increase slightly. The overall size of the garage would not increase to an extent that would result in the structure being prominent or obtrusive in the street scene given the presence of screening to the site frontage and the limited overall increase in footprint or overall size. The bulk of the extension would take place to the rear of the garage where its visual impact from outside the site is minimal. In addition the garage extension would be constructed of material to match the existing dwelling which assists its visual integration.

The garage would be no closer to the adjoining property than the existing garage. It would retain a

gap of 0.3m and would have a height of 2.8m. It would be located adjacent to a pitched roof garage structure of greater height in the adjoining garden to the east. It would therefore have no materially adverse overbearing effects.

The extension is therefore appropriate in terms of its siting, design, form, scale and materials and is recommended for approval.

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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 neutral 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).

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 2015/06/03 and 2015/06/02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site. The applicant is advised to contact Southern Water, Sparrowgrove House , Sparrowgrve, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119).
Due to surface water inundation issues in the Lidsey Catchment. The applicant is advised to adopt, where appropriate, the measures in the table 'Practical measures to reduce the potential impacts of development'.
The Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.
- 4 **INFORMATIVE:** Due to surface water inundation issues in the Lidsey Catchment. The applicant is advised to adopt, where appropriate, the measures in the table 'Practical measures to reduce the potential impacts of development'.
- 5 **INFORMATIVE:** The Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.
- 6 **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.