

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

REF NO: WA/22/26/HH

LOCATION: The Old Vicarage
The Street
Walberton
BN18 0PQ

PROPOSAL: Construction of oak framed car port and associated works. (This application may affect the character and appearance of the Walberton Village Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
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RELEVANT SITE HISTORY

WA/16/24/HH	Construction of single storey rear extension and associated works. (This application may affect the character and appearance of the Walberton Village Conservation Area and a Listed building).	ApproveConditionally 05-04-24
WA/17/65	Triple Garage Alterations And Additions	ApproveConditionally 09-12-65
WA/23/26/L	Listed building consent for construction of oak framed car port and associated works.	

REPRESENTATIONS

Walberton Parish Council - No response received.

CAAC (Arun Conservation Area Advisory Panel)- No objection.

Although the proposals will extend the garage complex closer to the road frontage, there will be limited views from the street so that it is considered that there will be a neutral impact on the character and appearance of the conservation area.

1 letter of representation has been received from a nearby occupier, summarized:

- Concern over increased activity from short-term holiday use.
- Main issue is future risk, not current proposal.
- Car port could make garage appear surplus and enable later conversion.

- Requests a condition to retain garage for parking only (no conversion without permission).
- Treat car port as additional, not replacement parking.

OFFICERS COMMENTS ON REPRESENTATION

Comments noted. This application solely relates to the erection of a car port, with no alterations proposed to the existing garage or its use. As such, it would not meet the tests for planning conditions to impose a restriction on the use of the existing garage, as this would not be necessary or directly related to the development proposed.

Notwithstanding this, the site lies within Conservation Area and includes a Listed Building, as such any future works to convert the garage would require a planning permission and/or listed building consent.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC DRAINAGE

Objection raised in relation to runoff destination.

CONSERVATION OFFICER

The proposal is for a car port which would be attached to an existing garage structure which is located to the front of the listed building. The existing garage building is large and does not make a positive contribution to the setting and views towards the listed building. There is clear scope for enhancement.

Whilst the proposal would extend this structure it could also help to improve its appearance. It is assumed that a car is already parked in the area that is proposed for the car part so this structure would help to also screen that, which is somewhat positive.

The only location from which the proposed car port would be visible from is from the road to the north of the site. This is through the small opening where the existing double gates provide pedestrian access to the property from The Street. I note from the heritage statement that the intention is to provide additional planting along the northern boundary flint wall to the east of the access gates. Further planting will also be introduced around the oak frame itself. This it is stated, will provide additional screening of this area, and the structure from the road. Whilst this concept would help to ensure that the structure is less visible and soften its impact upon views of the principal elevation of the listed house, further clarification is required.

It is not clear what the extent of the planting would be, nor what type of planting is proposed, this should be clarified. It is assumed that this would be agreed with the Councils Landscape Officer.

Such details can be agreed by way of condition, subject to confirmation that the planting would provide effective screening. I would also want to ensure that the planting is retained for the long term, and if it is removed, it would be replaced.

On balance, I am of the opinion that the proposed car port will have a neutral impact, dependent on the proposed landscaping arrangements which would need to be appropriate for the sensitive context, as well as of sufficient maturity to provide the desired impact.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or its/their setting. As a consequence, it should be determined in accordance with the relevant policies within the

Development Plan, along with these comments.

You will also need to take into account the contents of section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

OFFICERS COMMENTS ON CONSULTATIONS

Comments noted. Additional planting is suggested within the submitted Design, Access and Heritage Statement to soften the appearance of the proposed car port, it is noted that the Conservation Officer ultimately concludes that the proposal would result in a neutral impact on the significance and setting of the heritage asset. As such, a landscaping condition would not meet the six tests for planning conditions set out in national policy, particularly in terms of necessity, precision, and reasonableness. The limited visibility of the structure further reduces the need for such control. As such, the imposition of a landscaping condition would not be justified in this instance.

POLICY CONTEXT

Built-Up Area Boundary.
Walberton Village Conservation Area.
Grade II Listed Building.
Within an area with potentially high ground water.
Lidsey Treatment Catchment Area.
Lidsey Local Flood Risk Zone.

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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN & VISUAL AMENITY

The application site comprises a detached two storey-dwelling located at The Old Vicarage, The Street, Walberton.

The proposal seeks permission for the erection of a single car port positioned forward of the principal elevation. The car port would not be physically attached to the host dwelling and would be sited along the northern boundary of the application site, adjacent to the existing triple garage.

The proposed structure would measure approximately 6m in depth and 3m in width. It would feature a flat roof design with a maximum height of approximately 2.6m, which is marginally lower than the adjacent garage structure, which measures approximately 3m in height. The car port would be constructed as an open sided oak timber frame, utilising the existing garage wall along its southern elevation. The supporting posts would incorporate bases finished in reconstituted staddle stone.

It is noted that the proposed materials would not directly match those of the host dwelling or existing garage, which would be contrary to Section M of the Arun Design Guide (ADG). However, oak is a traditional material commonly used with ancillary outbuildings of this nature and there is an existing timber boundary treatment along the eastern side. As such, the proposed material palette would be acceptable within the wider context of the site.

Due to its siting, the car port would be partially visible within the street scene, although views would be limited to glimpses through the pedestrian access gates from the road to the north of the site. Given its modest scale, subservient height, and relationship with the existing triple garage, the structure would not appear unduly prominent or visually intrusive. The development would also benefit from partial screening provided by existing hedgerow planting along the northern boundary.

Overall, the proposed development would not result in harm to the visual amenity of the host dwelling or the surrounding area and the proposal is therefore in accordance with Arun Local Plan (ALP) policy D DM1.

RESIDENTIAL AMENITY

The proposed car port would be located to the north of the host dwelling. Due to its open sided design and the presence of the existing adjacent garage, the development would not give rise to overbearing or overshadowing impacts on the neighbouring dwelling to the east.

The nearest neighbouring property to the west is situated approximately 21m from the proposed structure and is further separated by existing hedgerow planting and private front amenity space. Given this separation distance, the proposal would not result in any overbearing or overshadowing impacts on the neighbouring dwelling to the west.

The western elevation of the car port would remain open to facilitate vehicular access and would overlook only the front amenity space of the host dwelling. As such, the proposal would not introduce any opportunities for overlooking into neighbouring properties and would not result in a loss of privacy.

Overall, the proposal would not cause harm to neighbouring residential amenity in terms of overbearing, overshadowing, or overlooking. The development is therefore in accordance with ALP policy D DM1 and the ADG.

HERITAGE

The site is located within the Walberton Village Conservation Area, an area characterised by its linear form along The Street, where properties are predominantly domestic in nature and front directly onto the road and play an important role in the established historic character of the locality.

Paragraph 207 of the NPPF (2024) requires applicants to describe the significance of heritage assets affected by development. The applicant has submitted a Design, Access and Heritage statement, which adequately addresses this requirement.

The Council's Conservation Officer was consulted on this application and concluded that the development would not cause harm to the significance of the heritage assets or its/their setting. The Conservation Officer recommended the inclusion of a landscaping condition, which was not included for

the reasons set out earlier in the report. Due to the site context there would be limited views of the car port from the public realm and the design and scale would be sympathetic to the setting of the Listed Building and the wider conservation area.

Overall, the proposal would not result in harm to the character or appearance of the conservation area or the setting of the Listed Building and would preserve its significance, in accordance with ALP policies HER DM1 and HER DM3 and the NPPF.

DRAINAGE

The application site lies within Lidsey Wastewater Treatment Catchment Area, where the management of surface water drainage is an important consideration in reducing flood risk within the locality.

The proposed car port would be constructed over an existing area of hardstanding (gravel) and would not include any amendments to the drainage infrastructure. As such, the proposed development would not result in an increase in impermeable surfacing and would not materially increase the risk of surface water flooding within the site or the surrounding area.

It is noted that the Council's Drainage Engineers have raised an objection to the proposal. However, given that there would be no increase in impermeable area and for the reasons outlined above, the development would not increase the chances of flooding elsewhere in the district. The proposal is therefore in accordance with Arun Local Plan policies W DM1 and W DM3.

PARKING

The application site is located within Parking Zone 1. In accordance with the Arun Parking Standards (APS), a dwelling of 4+ bedrooms is required to provide a minimum of three parking spaces. The ADG states that parking spaces should measure at least 6m by 3m internally in order to qualify as a parking space.

The proposed car port would not alter the existing parking provision serving the host dwelling as it would provide an a covered area for an existing parking space. In addition, sufficient parking is available within the forecourt area of the property to accommodate additional vehicles , alongside the existing triple garage. As such, the proposal would continue to comply with the parking requirements set out in the APS.

SUMMARY

The proposal is in accordance with the relevant development plan polices. As such, it 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 drawings:
 - Location Plan 00.01
 - Proposed Site Plan 02.01
 - Proposed Site Plan of Front Garden and Parking Area 02.02
 - Proposed Plans and Elevations 02.03
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, HER DM1 and HER DM3.
- 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 National Planning Policy Framework.