

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

REF NO: WA/25/18/HH

LOCATION: The Holly
Wandleys Lane
Walberton
BN18 0QR

PROPOSAL: Demolition of existing conservatory, erection of two storey rear extension, changes to existing porch surround & entrance, loggia & timber cladding at first floor level throughout.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Fencing to road frontage to approximately 1.8m. Mix of hedging and fencing to others.
SITE CHARACTERISTICS	Detached bungalow with accommodation in the roof (1.5 stories), set in a spacious plot. The Application dwelling comprises a redbrick structure under tiled roof with conservatory to side, western, elevation.
CHARACTER OF LOCALITY	Predominantly rural lane with residential properties of varying style and design, fronting roadways similar distances from the site frontages, featuring large gardens featuring significant trees and planting within them.

RELEVANT SITE HISTORY

WA/26/14/HH	Construction of two storey rear extension & replacement of the conservatory with a veranda.	ApproveConditionally 16-07-14
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No comments.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council

No objection.

No neighbour representations have been received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The recommended conditions and informatives are considered to be appropriate.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water - No objection . Informative suggested
Council's Drainage Engineer (Drainage and Coastal) - No objection. Standard condition suggested

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Drainage Area

DEVELOPMENT PLAN POLICES

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

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

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

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
SD SP2	Built -Up Area Boundary
D SP1	Design

[Walberton Neighbourhood Plan Policy 2017 HP13](#) Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, Modified - Arun Local Plan - January 2018 Consultation Version, West Sussex County Council's Waste and Minerals Plans and Made

Neighbourhood Development Plans.

The Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) were approved by the Council on 22nd March 2017. Consultation and a further examination in public has taken place. The examination was completed in September 2017. The Main Modifications have been amalgamated with the Arun District Local Plan 2011-2031 (Publication Version) October 2014 to form the 'Modified - Arun Local Plan (2011-2031) - January 2018 Consultation Version' which was out for public consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

In conclusion the emerging Local Plan, the 'Modified Arun Local Plan - January 2018 - Consultation Version', is at a very advanced stage and carries significant weight.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

The relevant policies in Walberton Neighbourhood Plan 2015-2035 are;

HP13 - Design Guidance

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with with relevant Development Plan policies in that it would not be subservient to the main dwellinghouse.

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 other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Even though the proposal is considered not to be subservient to the existing dwelling, it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties. Also the proposal would not have an adverse impact upon the established character of the surrounding area.

CONCLUSIONS

This application seeks planning permission for the demolition of the existing conservatory and erection of a 2 storey rear extension, changes to existing porch surround and entrance, loggia and timber cladding throughout first floor level along with internal reconfigurations.

The principle of development is acceptable within the built up area boundary in accordance with policy GEN2 of the Arun District Local Plan subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are deemed to be GEN7 and DEV19 of the Arun District Local Plan, Policy HP13 of the Walberton Neighbourhood Plan and guidance within the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The existing dwelling is located close to other properties on the junction of Wandleys Lane and West Walberton Lane, but represents the westerly extent of residential development along this part of Wandleys Lane. The site is flanked by agricultural fields to the west and by residential property Larchfield to the east.

Officers note policy DEV19 of the Arun District Local Plan in which Criterion (ii) which states that:

'the extension is visually subservient to the main dwelling.'

The proposed rear extension and alterations would lead to the creation of a much larger property with regard to its size, scale, massing and bulk. From an assessment of the plans Officers note that while the proposal would not be considered to be subservient to the existing dwelling the maximum ridge height of the resultant dwelling would not exceed 6.6 metres in height, the same as that of the existing dwelling.

Of particular note is that the resultant dwelling would, as a result of the proposed rear extension, be sited significantly closer to the rear boundary. Officers note that part of the rear elevation of the property would be sited right up against the rear boundary. However, it is noted from Officers site visits that there is screening to the rear boundary in the form of planting to a height of approximately 6.0 which would screen views of the proposal from the rear of the site. Directly to the rear of the application site it is noted that a section of the adjoining field separates the site from the properties to the rear. There are trees to the front of the site which would provide significant screening of the resultant dwelling, minimising views of it from Wandleys Lane. Therefore, it is considered that the proposal would not have a detrimental impact upon the street scene.

From an assessment of the plans and the Officer's site visit it is considered that both the proposed loggia and porch surround and entrance are of a suitable size and scale.

While there is some screening afforded along the western boundary, some limited views of the resultant dwelling would be available from the open fields to the west of the site and through the trees along Wandleys Lane. However officers do not consider that the views of the resultant, larger, dwelling would have a detrimental impact on either the street scene or the open countryside afforded by the adjoining fields to the west of the application site.

The proposed materials are:

Roof: Tiles to match existing.

Walls: Brick and timber to match existing.

It is considered that the proposed materials would be acceptable.

On balance, it is considered that the siting, scale and design of the proposed rear extension and alterations are such that the proposals would result in the creation of a dwelling which would, while large, be of an appropriate size, scale and massing which would not have a detrimental impact upon the street scene and the wider area. Additionally, it is considered that the proposal would be of a suitable size, scale and massing given the size of the site as Officers consider that that there would still be sufficient amenity space available to the front and east of the dwelling.

The proposed extension is considered to accord with Policies GEN 7 criteria (i), (ii), (v), (vi) and DEV 19 Criteria (i) and (v) of the Arun District Local Plan and Policy HP13 of the Walberton Neighbourhood Plan

RESIDENTIAL AMENITY

Officers note the proposed internal changes which would lead to the creation of a bedroom above the garage, rather than the existing study. The bedroom above the garage would include a new dormer window which would allow views down toward Wandleys lane to and out toward adjoining property Larchfield. It is considered that while views would be available out toward Larchfield they would be at an angle (45 degree) out toward the side amenity space and elevation, rather than toward the rear, primary, amenity space. Therefore it is considered that no detrimental overlooking would occur out toward adjoining property Larchfield.

While the proposal would include the addition of a large glazed triangular section into the west elevation, it would face out toward the adjoining fields and as such, would not lead to any materially harmful overlooking

As a result of the proposals, the garage element would feature a much larger roof form than that of the existing garage. However, the garage element would be set in from the common boundary by a maximum of 2.0 metres and a minimum of 1.21 and feature a part hipped gable end to the eastern elevation. Therefore, Officers consider that this enlargement of the dwelling would not have a detrimental impact upon the occupiers of Larchfield.

To the rear of the site there are a number of properties separated from the common boundary by the fields to the east and set at an angle. The closest properties are Fairland and Jardin des Fleures, which are set approximately 48-60 metres from the rear boundary of the application site. Additionally, as aforementioned, there is screening to the rear boundary in the form of planting to a height of approximately 6.0 metres which would provide screening. Therefore it is considered that the proposals

would not have a detrimental impact upon the occupiers of properties Fairland and Jardin des Fleures to the rear.

It should be noted that although the proposal would result in the creation of a larger dwelling right up to the rear boundary, having regard to the planting and trees on the site, it is considered that there would still be sufficient amenity space available to the front and east of the dwelling.

As such, it is considered that the proposed development would not have a detrimental impact on the residential amenity of the occupiers of neighbouring properties with regard to overlooking, overbearing effect, overshadowing and loss of light/sunlight.

The proposed extension is considered to accord with policies GEN7 criterion (iv) and DEV 19 of the Arun District Local Plan 2003.

HIGHWAY SAFETY AND PARKING

The proposed rear extension and alterations would lead to an increase in the number of bedrooms from 3 to 4. From an assessment of the plans and the Officers site visit it is considered that there would still be sufficient parking to serve the development.

The existing access, to the front of the site, would continue to be used. Therefore it is considered that no highway safety issues would occur as a result of the proposed development.

As such, it is considered that the proposal would comply with Policies GEN7 criteria (vii) (viii) DEV12 of the Arun District Local Plan 2003.

It is recommended that the planning application is granted subject to the following conditions:

Time Limit - 3 years
Approved Plans
Materials
Surface Water Disposal

HUMAN RIGHTS ACT

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

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 20034 -DPA -100 Rev A, 20034 -DPA -101, 20034 -DPA -110 Rev A, 20034 -DPA -111 Rev A, 20034 -DPA -200, 20034 -DPA -201.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DEV 19 and GEN 7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 Should any sewer be found during construction works then all development activities within

5m of the external edge of the sewer shall cease and they shall not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted to and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policy GEN9 of the Arun District Council Local Plan.

- 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.
- 7 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.
- 8 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.