

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

REF NO: WA/26/22/HH

LOCATION: Kelsey
Eastergate Lane
Walberton
BN18 0BA

PROPOSAL: Installation of a front entrance porch and covered way, single storey rear extension, two storey pitch roof side extension, conversion of roofspace to habitable use with gable end roof, detached carport and a detached summer house to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a two storey side extension, a single storey rear and front extensions, a carport and an ancillary building.
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REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

The Council's Drainage Engineers - Please apply PCENG2 relating to Surface Water Drainage.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary.
Lidsey treatment catchment area.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees

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

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 & ENV DM4 of the Arun Local Plan and HP13 of the Walberton Neighbourhood Development Plan.

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.

Policy ENV DM4 is for the protection of trees and seeks to protect trees identified as TPO'd, within a protected landscape or of a high amenity value.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, side extension should also be subservient to the host dwelling and respect the space between buildings and front extensions should not disrupt building lines, maintain and enhance frontages, be subservient to the host dwelling and respect the space between buildings.

DESIGN AND VISUAL AMENITY

It is proposed to construct a two-storey side extension, 3.3m in width, a single storey mono-pitched front extension, 1.8m in depth, and a single storey rear extension and covered area, 4.2m deep running across the rear of the existing and proposed building. The rear extension and covered area will have a mono-pitched roof. A pitched roof carport and ancillary building are also proposed. The site sits on the boundary of the built-up area.

Due to its siting, there will be views of the proposed two storey and single storey extensions available from the public realm. The two-storey extension has been designed to include a ridge and eaves line to match the existing building. The single storey front extension has an appropriately pitched roof and although built forward of the primary elevation, has a scale far smaller than the host dwelling. All extensions are to be built from materials which match those already found on the host dwelling. Overall, the extensions are afforded good visual integration with the host dwelling and are built to a scale which is respectful of the larger plot on which the property sits. By these reasons there is no significant harm to

the character of the host dwelling, or its locality as a result of the proposed two storey side extension.

The proposed carport is sited to the front of the dwelling (south) and creates parking for two vehicles. Buildings sited to the frontages of the properties, as proposed in this case, is not in-keeping with the area. The carport is to be built to a height of 3.7m with a ridge which will run parallel to the road.

It is noted that the 3D plans and elevation do not match. The proposed built form is not considered an appropriate form of development within 100mm proximity of both the north and east boundaries and it will negatively impact the spatial character of the area. It is noted that there is tree coverage to the front of the site. This tree coverage is seen to be within the applicant's control. There are two trees sited centrally within the grass verge (6m in width) and 1 Oak tree to the neighbour's boundary. The trees sit within a semi rural location, where their character and environmental benefits provide amenity value typical of this location. The proposed carport, being located up against the boundary will cause pressure to the trees vitality as it will be built within their root protection zone which may lead to their removal/decease in the future. In addition during autumn/winter months the trees are devoid of leaf making the site clear. As such the carport would have both an unacceptable negative impact to the street scene by reason that it would be out of character and have a negative impact on the health of the tree in conflict with policies D DM1, D DM4 and ENV DM4 of the Arun Local Plan.

The proposed garden outbuilding has been designed to fit to the angled shape of the boundaries. It will have a flat roof with a maximum height of 2.9m and be brick built. It will replace an existing shed. By reason that it will be located to the rear of the host dwelling and as it is to be built to an appropriate scale it is considered to comply with policy, that it is subservient to the host dwelling and the wider area.

The proposed carport conflicts with policies D DM1(1), D DM4(e) and ENV DM4 and Part M of the Arun Design Guide, and HP13 of the Walberton Neighbourhood Plan in that it is not in keeping with the character and spatial pattern of the area and that it will negatively impact trees with a high amenity value within a countryside location.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is as a result of the siting of the proposed development, being sited 1m away from the western boundary, and there being a large separation distance between Kelsey and the neighbour to the west. A rear garden length between the rear extensions and the outbuilding of over 13m will be retained as amenity space. The proposed ancillary building has been built with a flat roof to minimise any overbearing effects, the properties to the rear have significant rear garden lengths. As such, the proposal is not considered to result in any overbearing nor overshadowing effects.

In terms of overlooking, all proposed fenestration will either be to the ground floor where it is generally accepted that overlooking will not occur or will be at first floor and achieve views already obtainable by the host dwelling, as such no negative impact from overlooking will occur.

Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such 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 and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed carport, by reason of its scale and positioning abutting the front boundary will appear out of keeping and significantly harm the character and appearance of the area. It will also place undue pressure on the tree which could provide the carport with some mitigating screening. The proposal is therefore in conflict with policies D DM1, D DM4 and ENV DM4 of the Arun Local Plan, HP13 of the Walberton Neighbourhood Plan and the Arun Design Guide.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.