

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

REF NO: WA/28/21/HH

LOCATION: Willows
West Walberton Lane
Walberton
BN18 0QS

PROPOSAL: Erection of rear extension and loft conversion following the demolition of existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the demolition and replacement of the existing conservatory with new day room and alteration of the bungalow to a create first floor extension to the rear.
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RELEVANT SITE HISTORY

WA/84/18/HH	Extensions and alterations to bungalow including first floor extension. New garage with home office	ApproveConditionally 10-01-19
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REPRESENTATIONS

Walberton Parish Council - No Objection

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No Objection (following earlier response and receipt of additional info)
Would not support an alteration to pre-occupation or completion wording in a condition. Would be prepared to consider development up to damp-proof course. This is only on the basis of the very small increase in impermeable area and as we already know that infiltration is not viable. The condition on the garage will remain as pre-commencement. Condition suggested.

Officer Comment The condition wording suggested has been included in the recommendation..

POLICY CONTEXT

Designation applicable to site:
OUTS BUILT AREA
NO PUBLIC SEWER

DRAINAGE 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)
WDM3	W DM3 Sustainable Urban Drainage Systems
DSP1	D SP1 Design

Walberton Neighbourhood Plan Policy 2017 HP13 Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policy considerations are D DM1 & D DM4 of the Arun Local Plan (2011-2031) and Policy HP13 of the Walberton Neighbourhood Development Plan.

Policy D DM1 sets out design aspects of which applications should be assessed against. The criteria relevant to this application include: Character, Appearance, Impact, Adaptability, Crime Prevention, Layout 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.

DESIGN AND VISUAL AMENITY

The proposal is considered to be a change to the appearance of the dwelling increasing the intensity of use of the plot although it is not considered to have a significantly detrimental impact on its character in fact it would enhance it reinforcing the rural cottage style of the property.

The impact of the development of the dwelling is considered acceptable in scale and mass as it is set back of the main dwelling approximately 20 metres from the road frontage and the neighbouring property is a chalet bungalow of a similar ridge height and mass as is proposed.

Whilst the proposal does not comply with policy D DM4 (b) of the Local Plan in that the extensions and additional built form and are not subservient to the original dwellinghouse, the high quality design and sympathetic scale of the proposals in relation to the plot size and other dwellings in the locality are considered sufficient a material consideration to outweigh the policy contravention.

Whilst there would be views of the extension from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area and

would not appear unduly dominant on the plot in the setting of neighbouring properties and its distance from the road frontage.

A first floor extension across the width of the dwelling has been approved under WA/84/18/HH which has not been implemented in respect of alterations to the dwelling.

It accords with Part M of the Design Guide in that the form does not overpower the existing or neighbouring properties, integrates with the existing dwelling and uses materials which match the existing building, responds to existing elevations through the size and positioning of doors and windows and maintains established building lines. The proposed development is considered to be in accordance with D DM1, D DM4(a) of the Arun Local Plan and policy HP13 of the Walberton Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to have any significant impact on neighbouring residential amenity by reason of overlooking. This is because the rear facing windows of the first floor accommodation would not face directly into any neighbouring windows or toward the rear amenity areas immediately behind the dwelling houses.

The amenity areas at the rear on the south west and north east sides of the first floor extensions currently have high hedging and landscaping forming boundary treatments such that there would not be a significant loss of privacy caused. Conditions are imposed to ensure that any side facing windows at first floor are obscure glazed below 1.7m internal floor height and preventing addition of windows in the side elevations in the future. It is noted that mature hedging exists to site boundaries, but this would not necessarily be retained in perpetuity and it would not be reasonable to impose a condition in this respect.

The proposal is considered to be an adequate distance from both side boundaries to ensure there is no demonstrable harm resulting from adverse overbearing/overshadowing effects to either neighbouring property. The proposal is no closer than the existing dwelling to the western boundary and maintains a gap to the boundary of 2.98m to the west and 8.7m to the east. The eaves height of the rear 2 storey extension is 4.58m. Given the boundary screening distance to boundary and relatively low eaves height the proposal is considered acceptable in terms of residential amenity.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and Part M of the Arun Design Guide.

DRAINAGE

The application site is in the Lidsey Treatment Catchment, has a watercourse in the rear garden and is an area that is vulnerable to flooding. Therefore surface water drainage for the site has been carefully considered. Engineers have been consulted and in accordance with their request an appropriately worded condition has been imposed. The proposal is therefore compliant with policy W DM3 of Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies subject to other material considerations 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 (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.

CIL DETAILS

This application is not CIL Liable therefore developer contributions towards infrastructure will not be required.

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:

Proposed Location Plan and Block Plan 1230-02
Proposed Elevations 1230_16
Roof Plans 1230_12
Proposed Floor Plans 1230_11

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The development shall proceed in accordance with the materials and finishes detailed in the agent's e-mail dated 10.31 am 21-06-2021.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with

policy D DM1 of the Arun Local Plan.

- 4 The roof light windows hereby approved in the side facing elevations shall at all times be obscure glazed below 1.7m internal floor height.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policies DDM1 and D DM4 of the Arun Local Plan.

- 5 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level or in the roof of the extension on the side facing elevations without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place 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, and the recommendations of the SuDS Manual produced by CIRIA. No part of the extended 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 W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 7 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.