

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

REF NO: WA/29/13/

LOCATION: Spinneys
West Walberton Lane
Walberton

PROPOSAL: Ground floor, rear & side extensions. Resubmission of WA/76/12

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The side extension (on the northern elevation) will measure approximately 1m in depth, approximately 7m in width and a maximum height of approximately 4.5m. The side extension on the east elevation measures approximately 0.5m in depth and approximately 4.2m in height. The rear extension measures approximately 2.5m in depth, approximately 7m in length and approximately 4.8m in height. Decking to the rear is also proposed and has a length of approximately 7m, a width of approximately 2.4m and approximately 0.5m in height. All elevations of the side and rear extensions are to be painted shiplap with matching clay rooftiles. Construction works have begun to build this scheme.
SITE AREA	Approximately 825 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To the front there is dense vegetation at over 2m in height. To rear, timber fencing at approximately 1.8m with vegetation commonly over 1m in height.
SITE CHARACTERISTICS	A detached bungalow with brown brick elevations and a pitched roof with brown pantiles. Detached garage to side with a pantiled roof. Construction works are currently on-going at the property. There is a ditch in the rear garden.
CHARACTER OF LOCALITY	Rural in character. There are one and two storey detached properties of different styles all set well back from the road. There is a single storey property immediately to the south called Stanstead. A farm is situated beyond the site to the west.

RELEVANT SITE HISTORY

WA/76/12/

Ground floor rear and side extension with roof extension.
ApproveConditionally
19-02-2013

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

N/A

CONSULTATIONS

Southern Water Planning
Environment Agency

Consultations responses received:

Environment Agency
No comments.

Southern Water.

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

Comments on Consultation responses:

Noted.

In respect of comments made by Southern Water, the applicant or developer is advised to read the Informative attached to this permission for further information regarding making an application for connection to the foul sewer. The full consultation details are available online in connection with this application at www.arun.gov.uk/planning.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Drainage area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)
[GEN7](#)
[GEN9](#)
[DEV19](#)

Protection of the Countryside
The Form of New Development
Foul and Surface Water Drainage
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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

PRINCIPLE

The site is located outside the built up area boundary where the principle of new development is unacceptable. In such locations, extensions and alterations to residential buildings will not be permitted, unless the proposal complies with the relevant Local Plan policies which is in this case have been identified as GEN7 and DEV19.

Previous planning permission reference WA/76/12 was granted for a significantly larger scheme including rear and side additions with roof extension. Consequently, the proposed extensions will have significantly less bulk and will be more consistent with the bungalow it seeks to develop. Therefore, the extensions are considered visually subservient to the existing property unlike the previous scheme and so now complies with Local Plan policy DEV19(ii).

DESIGN AND VISUAL AMENITY

The extensions are to have painted shiplap elevations with matching clay pantiles on the roofs. Whilst such shiplap elevations will not directly match existing, the adequate screening from front and side boundaries will mean that the extensions will not be prominent within the street scene. The extensions including the one on the side (north) elevation will not exceed the overall ridge height of the property and therefore the proposal complies with Local Plan policy GEN7(ii).

RESIDENTIAL AMENITY

Due to adequate distances retained to neighbouring boundaries, the proposed extensions are considered acceptable in terms of residential amenity. The decking will also not give rise to any unacceptable overlooking, particularly on to the immediate neighbouring property of Stanstead to the south, due to its height of approximately 0.5m (0.2m greater than that under Permitted Development) and the dense vegetation screening in this location. Due to the proposal being considerably smaller than that which was approved under planning permission reference WA/76/12 and no windows in the roofspace, it therefore complies with Local Plan policy DEV(iii).

It is therefore recommended that approval be granted, 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 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, a neutral impact has 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 approved shall be carried out in accordance with the following approved plans: drawing numbers 1088 1A (existing plan and elevations) dated November 2012, 1088.7B (proposed plan and elevations) dated June 2013, 1088.8 (Section through kitchen) dated June 2013, 1088/4B (roof plans) dated January 2013.

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

- 2 The materials and finishes of the roofs of the extensions hereby permitted shall match in colour and texture to those of the existing building.

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

- 3 **INFORMATIVE: Southern Water**
A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St. James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southerwater.co.uk

- 4 **INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012.** 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.