

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

REF NO: WA/36/19/HH

LOCATION: Holly Tree Cottage
The Street
Walberton
BN18 0PH

PROPOSAL: Proposed first floor rear extension (Resubmission of WA/101/18/HH). This application affects the character and appearance of Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to construct a first floor extension to the existing rear ground floor extension (Resubmission of WA/101/18/HH). This proposal has been amended with the removal of a proposed garage.
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RELEVANT SITE HISTORY

WA/102/18/L	Proposed first floor rear extension and detached single garage.	Withdrawn 16-01-19
WA/101/18/HH	Proposed first floor rear extension and detached single garage.	Withdrawn 16-01-19
WA/68/09/L	Application for Listed Building Consent for a proposed single storey rear extension (revisions to previous approval WA/107/07/L)	ApproveConditionally 11-12-09
WA/67/09/	Proposed single storey rear extension (revisions to previous approval WA/106/07/)	ApproveConditionally 11-12-09
WA/21/09/L	Application for Listed Building Consent for repairs to brick and flint boundary walls and repair of brick & flint outhouse in back garden.	ApproveConditionally 20-07-09
WA/24/09/	Repairs to brick and flint boundary walls and repair of	ApproveConditionally

brick & flint outhouse in back garden

20-07-09

WA/106/07/	Amendment to previous approval WA/80/07 - Solid roof to rear extension	ApproveConditionally 27-02-08
WA/107/07/L	Application for Listed Building Consent for amendments to previous approval WA/70/07/L - solid roof to rear extension	ApproveConditionally 27-02-08
WA/80/07/	Proposed conservatory with alterations to rear elevation.	ApproveConditionally 12-10-07
WA/72/07/	Erection of single storey timber summerhouse in rear garden	ApproveConditionally 19-09-07
WA/70/07/L	Application for Listed Building Consent for refurbishment and internal alterations. Conservatory on rear and installation of satellite dish on roof to rear of house below roof line.	ApproveConditionally 12-10-07

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council

No objection.

1 letter of objection from a nearby occupier

- Concern relating to vehicular access during building works.
- Fail to see how delivery and builders lorries will park safely without blocking the street.

Conservation Area Advisory Committee provided an objection

- In its current form would harm the Listed building and Conservation Area.
- Car port would detract from the setting.
- Conflict with policies.

Comments noted. The car port has since been removed from the application.

CONSULTATIONS

Engineers (Drainage)
Historic England
Conservation Officer
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

Historic England - On the basis of information available we don't not need to be notified of the proposal.

Conservation Officer (June)

The rear extension is somewhat subservient to older parts of the building. The proposal would result in the loss of one of the existing staircases which is linked to when the house was two properties. This would result in loss of historic fabric and could harm the significance of the cottage. The garage would be dominant and highly visible.

Following these comments the garage was removed from the application and the staircase is to be retained.

Additional comments (July 23rd)

Revised plans show the removal of the carport. This is positive and reduces the harm to the Listed building and Conservation Area. The staircase will be retained with flooring inserted on top, which will ensure the stairs remain. On balance the revised proposal will not harm the significance of the heritage assets or their setting.

Engineers (Drainage) - Apply standard condition relating to surface water drainage.

Comments noted. As the extension is above an existing ground floor extension and the footprint is retained, the condition is not considered necessary.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary
Grade II Listed Building
Conservation Area
Lidsey Catchment

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)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

Walberton Neighbourhood Plan Policy 2017 VE4	Conservation Areas and Areas of Special Character
Walberton Neighbourhood Plan Policy 2017 VE5	Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1, DDM4, HERDM1 and HERDM3 of the Arun Local Plan.

Walberton has a 'made' Neighbourhood Plan with policy VE4 and VE5 of relevance to the application. The proposal complies with these policies.

DESIGN AND VISUAL AMENITY

The extension is situated to the rear of the property and as such is not visible from the street scene. The extension will have a gable roof and with existing gables to the rear of the dwelling, the development is considered to appear well integrated. With it also set lower than the existing it also appears subservient. Materials identified within the Design and Access Statement are to match the host dwelling.

Due to the siting of the first floor extension, it is considered that the proposal has no significantly detrimental impact upon the wider locality of the area in itself, as there are no viewpoints of this from the street scene and is in accordance with D DM1 and D DM4 of the Arun Local Plan.

CONSERVATION OFFICER

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. The proposal seeks a first floor extension to the rear of the property. The use of a gable end at first floor is considered acceptable as this is consistent with the use of other gables at the side and end of the building. The staircase will be retained in situ with flooring to ensure the stairs remain. More details could be provided of how this will be inserted and not harm the surrounding historic fabric.

The proposal will not harm the significance of the heritage assets or their setting and is considered to preserve the appearance of the Conservation Area and accords with HER DM1 and HER DM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal seeks to construct a first floor above an existing rear extension. The height will increase by approximately 2m with a total height of 5.85m with eaves to 4.25m. The footprint will remain as existing with a width of 4.25m and a depth of 5m.

Due to the siting with 7m retained to both side elevations, the proposal is not deemed to appear adversely overbearing or overshadowing upon neighbouring amenity.

An additional first floor window will be constructed to the rear which will look over the rear garden of the host dwelling and may give rise to views towards the rear window at the neighbouring property situated to the north east, however any overlooking is not considered significant with the property sited at an angle to the host dwelling and separation at 15m with trees also in place at the boundary.

2 additional windows will also be sited at first floor facing east. With the side elevation of The Holly Tree Pub located at this elevation, it is not considered to result in adverse overlooking. There will be doors to

the ground floor which will remain as existing. There will also be doors to the side elevations although situated at ground floor level, views will be of the rear garden.

The proposal is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such 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

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
 - Site and Location Plan - 06 Rev A
 - Sketch Section- 005 Rev A
 - Proposed Elevations - 004 Rev A
 - Existing and Proposed Floor Plan - 001 Rev A
 - Proposed Roof Plan - 002 Rev A

- Design and Access Statement

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 **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.