

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

REF NO: WA/38/25/HH

LOCATION: Little Danes
Yapton Lane
Walberton
BN18 0LS

PROPOSAL: Demolition of existing swimming pool house and construction of new swimming pool house. This application may affect the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Walberton Parish Council - No response received.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings

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**DESIGN AND VISUAL AMENITY**

The location of the proposed pool house is within the garden of an existing detached house with an existing swimming pool and small pool house/outbuilding. The existing outbuilding is to be demolished, and larger building constructed to the south of the swimming pool. The building is substantial in scale, measuring 13.8m in width and 5.8m in depth. The building will have an asymmetrical pitched roof, with a ridge height of 4.9m. Although the building is of a significant scale, and is comparable to the main dwelling, it is unobtrusively located at the rear of the garden and will not be experienced together with the main dwellinghouse. The property has a substantial garden, and the proposed outbuilding will not

compromise the level of outdoor amenity space. The building will be finished with larch cladding and clay plain tiles, with solar panels on the south facing roof slope. The proposed design and materials are acceptable in accordance with policy D DM1 of the Arun Local Plan.

The proposed development would not result in harm to the visual amenity or the character of the area in accordance with policy D DM1 of the Arun Local Plan and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed outbuilding is situated away from nearby properties. Although the building is positioned at the southwest corner of the garden, the land beyond the garden is an open field and is also within the applicant's ownership. The outbuilding will have no impact on neighbouring residential amenity by way of overbearing, overshadowing or overlooking in accordance with policy D DM1 of the Arun Local Plan.

HERITAGE

The proposed outbuilding would be sited some distance from the surrounding Listed Buildings to the east, north and north west of the site. Given the spacing maintained between the outbuilding and the surrounding Listed Buildings, the proposed outbuilding would not result in any harm to the setting of any of the surrounding Listed Buildings. The proposal is therefore in accordance with policy HER DM1 of the Arun Local Plan.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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.

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 Plans and Elevations
- Proposed Plans

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

- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Little Danes, Yapton Lane as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.