

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

REF NO: WA/3/15/HH

LOCATION: Midway
Avisford Park Road
Walberton

PROPOSAL: Replacement of existing open sided porch with new enclosed entrance porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The development proposed is the erection of a replacement front porch at this dwelling. The proposed porch would be 2.8m wide by 1.575m deep. It would have a gable facing the highway, with eaves of 2.2m and ridge of 3.4m. Materials proposed are to match the existing dwelling, being plain tiles and white render.

SITE AREA

The site area is 0.11 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The immediate area is a low density one.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site is a brick wall of approximately 1.5m in height. Front side boundaries are screen planting of some 2m in height.

SITE CHARACTERISTICS

The site is occupied by a large two storey dwelling which occupies most of the width of the plot. It is set back from the highway by between 6m and 9.5m and the front area of the site is comprised mainly of a gravelled area for the parking of cars.

The existing dwelling is brick at ground floor with white render above at first floor. The roof is brown plain tiles. The existing porch is open fronted with brick and glazed sides and has a pitched roof with gable facing the highway.

CHARACTER OF LOCALITY

The area on the south side of Avisford Park Road is low density residential and of mixed house types, including two storey and single/chalet type dwellings. To the north of

Avisford Park Road is open countryside. Boundary treatments on the south side are missed and on the north side is a hedgerow of 2m.

RELEVANT SITE HISTORY

WA/1/95	Provide extension to form sun lounge	ApproveConditionally 14-02-1995
WA/1/07/	Small extension to first floor at rear of property and other minor alterations.	Withdrawn 15-03-2007
WA/26/71	Garage	Permit'd Devel 11-05-1971
WA/29/78	Extension of kitchen and bedroom over erection of garage with dressing and shower room over	ApproveConditionally 07-06-1978

None.

REPRESENTATIONS

Representations received:

Walberton Parish Council

Walberton Parish Council does not wish to object to or comment on the proposal.

No representations have been received from surrounding occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water advises that there are no public surface water sewers and that alternative methods of surface water drainage are required and these should be discussed with Southern Water. An informative has been added to refer the applicant to Southern Water.

The Council's Engineer comments that a SuDS system (Sustainable Drainage System) must be investigated for surface water disposal, ie. soakage structures. A standard condition in respect of a scheme for surface water drainage is recommended. The Engineer also comments:

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and

cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for

climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also enclosed for information.

Comments on Consultation responses:

Comments noted. Drainage requirements will form part of building regulations application.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[GEN9](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Foul and Surface Water Drainage
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-residential)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Walberton has applied for a Neighbourhood Area Designation and this has been approved. It is understood that the Neighbourhood Plan (NP) is at an early stage in preparation and no draft has been publicly consulted upon. Therefore the NP carries little if any weight.

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

The proposed enclosed porch is a slightly larger replacement for the existing open porch sat this site. It is of a similar design and does not result in detriment to the appearance of the dwelling, being of sympathetic design. The porch, being centrally located does not result in amenity loss to adjoining occupiers and does not encroach into the parking area so as to result in a loss of car parking.

The proposed extension is considered to be consistent with policy generally and therefore it is recommended that planning permission be granted subject to 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 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 (negative, Neutral or positive) 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).

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 drawing:

Drawing Number 2015-03; Proposed plans & Elevations; Dated Jan. 2015.

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

- 3 **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.

- 4 INFORMATIVE: Southern Water advises that there are no public surface water sewers and that alternative methods of surface water drainage are required and these should be discussed with Southern Water.