

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

REF NO: WA/41/18/HH

LOCATION: Ashgrove
West Walberton Lane
Walberton
BN18 0QS

PROPOSAL: Orangery to side elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. The orangery would have a floor area of 5.2m by 9m and an overall height of 3.5m, with an eaves height of 3m. It would be constructed of hardwood with brickwork to match the existing dwelling.

RELEVANT SITE HISTORY

WA/59/09/	Construction of ancillary accommodation as a garden room	ApproveConditionally 06-11-09
WA/19/04/	Loft conversion & link structure to join house to garage	ApproveConditionally 13-05-04

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council
No Objection

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water - No Objection should any sewer be found during construction works, an investigation of

the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Drainage Engineer - No Objection standard condition requested.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

DEV19	Extensions to existing residential buildings
GEN2	Built-up Area Boundary
GEN3	Protection of the Countryside
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
SD SP2	Built -Up Area Boundary
D SP1	Design
C SP1	Countryside

Walberton Neighbourhood Plan Policy 2017 HP13 Design Guidance

Walberton Neighbourhood Plan Policy 2017 HP1 Spatial Plan of the Parish

CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary as defined by GEN2 of the Arun District Council Local Plan. The proposal is for alterations to an existing building within the plot of an existing dwelling house. It is considered that the proposal accords with GEN3 of the Arun District Council Local Plan, which seeks to protect the countryside "for its own sake" in that it is compliant with policy DEV19 of the Local Plan. The proposal is also in accordance with C SP1 of the Emerging Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4). In this case, the key policy considerations are deemed to be GEN7 of the Arun District Council Local Plan, D DM1 & D DM4 of the Emerging Local Plan and HP13 of the Walberton Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

Given the limited scale of the proposed extension it would appear subservient to the host dwelling. It is not considered to have a significantly detrimental impact on the established character of the host dwelling as a result of its design and use of materials. It would appear visually integrated well with the existing dwelling. Therefore, the proposed extension is considered to be in compliance with DEV19(i) and (ii) of the Arun District Council Local Plan.

The extension would be located forward of the side elevation of the existing dwelling. However it would not be readily visible from the street scene, given its height, set back position and the presence of the

existing mature hedging around the site. The area is characterised by detached dwellings of varying design in large plots with space to site boundaries. The position and dimensions of the extension would be in keeping with the appearance of the dwelling and the area generally. The proposal would not erode this established character. The extension would be located a minimum of 17m from the site boundaries and 37m from the site frontage. The development is not considered to be visually harmful to the established character of the area or the property. The area does not have a uniform spatial character. As a result of this, the proposal is deemed to be in accordance with HP1 & HP13 of the Walberton Neighbourhood Development Plan and GEN7(ii), DEV19(iv) and (v) of the Arun District Council Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extension is not considered to give rise to any significantly adverse impact on the neighbouring dwellings given the single storey nature of the development and the distance to site boundaries. As such, the proposed development is considered to be in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies 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.

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: Location, Block/Site, Proposed Floor Plans DO/18/005 and Proposed Elevations DO/18/004.

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 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 INFORMATIVE: Drainage Engineers advise that 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 available on request.

- 5 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.