

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

REF NO: **WA/43/13/**

LOCATION: Woodstock
 The Street
 Walberton

PROPOSAL: Single storey extension. This application affects the character and appearance of the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes a single storey side extension to the western elevation to provide extra living space. The proposed roof The application measures 4.3 metres in width, 6.5 metres in depth with a total height of 3.7 metres and 2.4 metres to eaves level.
SITE AREA	1,308 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat though at a level higher than the adjacent highway.
TREES	None of any significance affected by the proposal.
BOUNDARY TREATMENT	The front boundary there is red brick and natural stone walling approximately one metre in height on top of which is a wooden trellis fence with shrubs and trees. Western side boundary nearest the extension is a mixture of the side wall of the adjoining property and closed board fencing approximately 1.8 metres tall. Eastern side boundary is a mix of brick walling and the side wall of the property on the east. Rear boundary demarked by a mixture of trees and shrubs.
SITE CHARACTERISTICS	The site is occupied by a two storey detached property with a mixture of red brick with tile hanging above, face brickwork and painted elevations. Evidence of extensions to the front and rear. Parking courtyard and detached garage on the eastern side of the property. uPVC windows and door.
CHARACTER OF LOCALITY	Rural village with a mix of residential properties detached and semi detached in various periods and styles.

RELEVANT SITE HISTORY

WA/44/06/TC	Topping of one Yellow Cupressus tree (Within the Walberton Village & Walberton Green Conservation Area)	No Objection 30-05-2006
WA/61/82	Demolition of existing sun room and building new sun room to rear of house	ApproveConditionally 22-09-1982
WA/31/84	2 storey extension to the front of the house	ApproveConditionally 11-07-1984

No comments

REPRESENTATIONS

Representations received:

Walberton Parish Council

- no objection or comment.

Comments on Representations received:

No comments

CONSULTATIONS

Conservation Officer

Southern Water Planning

Consultations responses received:

Southern Water:

A formal application for any new connection to the foul sewer should be made by the applicant. The applicant has not stated details of the proposed means of disposal of surface water from the site. An informative is requested. Our initial investigations indicate that there are no public surface water sewers in the area to serve the development therefore alternative means of draining surface water from this development are required. This should not be to a public foul sewer. If any sewer is found during the development crossing the above property, and 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.

Conservation Area Advisory Committee:

Materials should match the existing and be of good quality.

Comments on Consultation responses:

Comments noted. A suitable condition requiring submission of materials to the Local Planning Authority can be included to assess their quality.

POLICY CONTEXT

Designation applicable to site:

Within a Designated Conservation Area

Class C road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[AREA2](#)
[DEV19](#)
[GEN7](#)

Conservation Areas
Extensions to existing residential buildings
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

PLANNING

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

CONSERVATION AREA

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

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. 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

PLANNING

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.

CONSERVATION AREA

Section 71(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation 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 proposed extension is located within the built up area of boundary of Walberton where the principal of development is considered acceptable subject to development control criteria and consideration of the effect of the proposal on the character and appearance of the Walberton Conservation Area.

GEN7 FORM OF NEW DEVELOPMENT

Proposed extension is of high quality design, responds to constraints of the site and does not have an adverse amenity impact on any adjoining properties.

DEV19 EXTENSIONS TO EXISTING RESIDENTIAL BUILDINGS

The proposed side extension sympathetically relates to and is visually integrated with existing building in siting, design, form, scale and materials. The extension is visually subservient to the main building as it is single storey only and located to the side and rear. The proposed extension is minor and will not compromise the established spatial character or pattern of the street.

The extension will not have an adverse overshadowing, overlooking or overbearing impact on adjoining properties. Shadow will fall primarily to the subject property and not to neighbouring properties. The proposed southern windows will look onto the rear garden and would not overlook the neighbouring property while the narrow window on the northern elevation will not result in overlooking due to the position of the adjacent property.

WALBERTON CONSERVATION AREA

Application site is located within the Walberton Conservation Area. Section 72 of the Town and Country Planning Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This requirement extends to all powers under the Planning Acts, not only those which relate directly to historic buildings.

It is considered that the proposed development would not adversely alter the character of the area and is acceptable in this instance. The proposed development while visible from within the conservation area is designed sensitively and takes account of the character of the area. Furthermore, due to its positioning and the existing screening and vegetation along the road frontage would preserve the character and appearance of the conservation area.

SUMMARY

Proposal is acceptable in regard to relevant policies and is recommended for approval subject to 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 (the right to respect for 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 no negative 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).

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:

371/1
371/2
371/3
371/4
371/5
371/6

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

- 3 No development shall be carried out until a schedule of materials has been submitted to, and where so required by the Local Planning Authority sample panels of the external finishes (including the proposed texture, style, coursing and mortar ratio) have been constructed on the site, and approved by the Local Planning Authority and the materials

and sample panels so approved shall be adhered to as the construction specification for the building/extension/wall.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 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.