

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

REF NO: WA/49/26/HH

LOCATION: Foxgloves
Avisford Park Road
Walberton
BN18 0AP

PROPOSAL: First floor rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Walberton Parish Council - No response received.

1 letter of objection has been received from a neighbour, raising concerns in regard to overbearing and overlooking impacts.

The applicant has submitted a representation in response to the points made in the objection.

The matters raised in the letters of representation have been addressed in the conclusions section below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Drainage Engineers - Objection.

1 - Runoff destination

1.1.The water reuse priority can be addressed at detailed design stage by providing a residential water butt.

1.2.The submitted statement on drainage states that surface water will be discharged to ground via infiltration but no ground investigation is provided to prove feasibility and no other alternative means of disposal is demonstrated to be feasible.

1.3.Guidance on ground investigation to support proposals to discharge to ground via infiltration is provided on Arun DC web pages here: <https://www.arun.gov.uk/surfacewater>.

1.4.The runoff destination is not currently in accordance with the requirements of the NSfS Standard 1. Therefore, we object to the application.

3 - Extreme rainfall and flooding

3.1.The outline calculations provided for the drainage system are not in accordance with sustainable drainage standards. The additional area should be attenuated, or the infiltration feature sized to accommodate large return period storms.

3.2.The drained area should be clarified and runoff calculated for the design storm based upon up to date rainfall data. Guidance is provided on ADC webpages - <https://www.arun.gov.uk/surfacewater>.

3.3.Management of extreme rainfall is not currently in accordance with the requirements of the NSfS Standard 3. Therefore, we object to the application.

POLICY CONTEXT

Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

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 site includes a detached, two storey dwelling on the southern side of Avisford Park Road. The proposal is for a first-floor rear extension.

The rear extension would be constructed in the southeast corner of the dwelling, extending 3m from the existing rear wall with a width of 3.8m from the eastern flank. The extension would be built above an existing flat roof, and would itself have a crown roof, more appropriate considering the character of both the host dwelling and locality. Further to this, a pitched roof would be added to the remainder of the ground floor flat roof, adjoining the existing ground floor pitched roof, resulting in a congruous, logical form that responds well to the host dwelling.

Set within the existing footprint of the host dwelling and set down 1.8m down from the roof ridge, the extension would be subservient addition. The Arun Design Guide (ADG) states that first floor extensions should maintain a distance of 21m to any dwellings at the rear; the extension would maintain a policy compliant distance of 44m to the rear boundary.

The extension would be finished with white, cedar cement board cladding. Cladding (both mock-wood and light green) can be seen at Two Ways and Rivendell, the first two dwellings on the northern side of the road. Given that the proposed cladding would be white, sited to the rear and there are other examples of more vibrant cladding, there would be no resultant harm to design or visual amenity. The roof of the extension would be finished with tiles to match the host dwelling.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Set within the existing footprint of the dwelling, set in 4.2m from the eastern side boundary, there would be no overbearing impacts to the neighbouring amenity.

Existing built form would screen the extension from the west, resulting in no harm by way of overshadowing to the western neighbour. It is noted that there would be a breach of the 45-degree rule when taken from the first floor window at the neighbouring property to the east (Mayfield). However, the breach would be minimal, caused only by the addition of the pitched roof over the existing ground floor footprint, not by the extension itself. As such, there would be no undue harm to by way of overshadowing to the eastern neighbour.

The first-floor extension would have a singular window on the south elevation, providing similar, oblique views of neighbouring gardens as the existing first floor rear fenestration. Given the modest difference in views, and existing boundary treatment, there would be no undue harm by of overlooking.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

LIDSEY DRAINAGE TREATMENT CATCHMENT

The site is located within a Local Lidsey Flood Risk Area. As such, the Council's Drainage Engineers have been consulted on the proposed development.

The drainage engineers have objected on the grounds that no surface water runoff location has been provided, as required by Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS). They also objected on the grounds that flood risk may be increased elsewhere, owing to a small pockets of potential surface water flooding.

The extension would be small in scale and would extend over the existing ground floor footprint of the host dwelling. As such, it would not be reasonable to refuse this application on drainage grounds.

The proposal is therefore in accordance with Arun Local Plan policies W DM1 and W DM3.

SUMMARY

The proposal is in accordance with relevant development plan policies and is therefore recommended for approval.

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:

Location Plan, Block Plan and Proposed Ground Floor Plan - sheet 1 of 4
 Proposed First Floor Plan and Proposed East & South Elevations - sheet 2 of 4
 Existing First Floor Plan, Existing South and East Elevations and Existing & Proposed Roof Plan - sheet 4 of 4
 Lidsey Foul Water Catchment Area Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 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).

- 4 **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 NPPF.