

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

REF NO: WA/65/18/HH

LOCATION: Richmond House
Arundel Road
Walberton
BN18 0QP

PROPOSAL: Retention of double garage & with new layout to screening to the North West highway boundary.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed development seeks to retain an existing unlawful double garage. Also proposed is new planting on the Northern boundary of the site.

RELEVANT SITE HISTORY

WA/55/13/	3 bay oak framed garage	Refused 05-02-14
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No comment.

1 objection from local occupier:

My property is downhill from the Applicant's and I would like to bring to your attention that since the Decision on WA/55/13/ for a similar building extensive felling of trees and other changes have been allowed to take place in this neck of the woods which will not only have effects on the environment but also on the surface water and subsurface water movement onto and under my property. I am concerned now therefore about any development west and north of my property including the above regarding the effects on both surface and subsurface water movement and drainage in this area.

Drainage issue raised by objector is addressed in the Council engineers response below.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Councils Drainage Engineers -

The application is for the alteration to planting. A comment has been provided stating concerns about the effect of proposals on surface and sub surface flows. The proposals are to replace existing dying plants with a new laurel hedge. This shouldn't have a negative impact upon flows. The new growth should provide more interception.

Southern Water - No objection.

Please note:

- No development or new tree planting should be located within 3 metres either side of the external edge of the foul sewer.
- No new soakways should be located within 5m of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Walberton Neighbourhood Plan Policy 2017 HP13](#) Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031) and policy

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. 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).

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HP13 of the Walberton Neighbourhood Development plan states that where new development would have an effect on the appearance or character of the surrounding area, it is to be of a high quality of design, and must contribute to local character.

DESIGN AND VISUAL AMENITY

Due to its prominent location within the street scene the proposed front garage will alter the existing appearance and layout of the residential unit in which it is sited. The proposed development is considered to appear subservient within the residential plot, resultant of its modest design, and matching materials. The materials match the existing dwelling, which allows the garage to far easier 'blend in' and appear less prominent and obtrusive of a feature within the street scene.

The separation distance between the garage and the footpath is less than 7m, however, as a result of the proposed additional boundary screening, the garage is not considered to have a significantly harmful impact upon the street scene, or the established character of the area.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan in terms of design and visual amenity. It is also considered to be in accordance with HP13 of the Walberton Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly overbearing or overshadowing impact as a result of intervening foliage and significant separation distance between the proposal site and neighbouring dwellings. The garage is single storey, and resultantly the available views would be no different from those that are currently available from the front garden.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun 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

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 Plan
- Block Plan
- Existing & Proposed Planting - North Side of Property Fronting Arundel Road

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 3 The hereby approved planting scheme shall be retained in perpetuity, as denoted in drawing titles as follows:

- Existing & Proposed Planting - North Side of Property Fronting Arundel Road

Any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 4 **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.