

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

REF NO: WA/70/25/HH

LOCATION: Walberton House
The Street
Walberton
BN18 0PJ

PROPOSAL: Installation of detached car port. (This application may affect the character and appearance of the Walberton Village Conservation Area and a listed building).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Walberton Parish Council - No response.

Arun Conservation Area Advisory Panel - No objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER - No harm to the Conservation Area.

The proposal is for a detached timber car port with a clay tile roof, designed in the style of a simple rural structure. The listed boundary wall forms an attractive and imposing feature in the street-scene. Its prominence is enhanced by the absence of any visible development behind it and the presence of mature trees, which soften and green the area. Any development at this location would need to be carefully considered so that it would not form a prominent feature which would impact upon the way that the wall is viewed and appreciated.

The car port would be set back 5m from the wall and screened by mature trees, meaning it should not be visible in key views along the street or in the context of the wall's more decorative elevation. The rear elevation of the wall, which is simpler in design, would not be adversely affected by the proposed structure. On balance, the proposed car port is considered to have a neutral impact on the conservation area and would not harm the setting of the listed building. As such, the proposal would not result in harm to the significance of the designated heritage assets.

DRAINAGE ENGINEERS - Objection.

Insufficient information regarding surface water drainage has been submitted to evidence that flood risk will not be increased as due to the proposed development. No formal drainage strategy has been provided. It is proposed that surface water runoff from the pitched roof will drain naturally onto the grass

surface surrounding the carport. This represents an informal and unknown drainage solution which would not be acceptable. It is unknown what infiltration potential the landscaped area has, or whether surface water from the new roof would discharge overland and ultimately into neighbouring property, increasing their flood risk. Therefore, we object to the proposal, it has not been demonstrated that the surface water drainage for the carport will not increase flood risk.

POLICY CONTEXT

Conservation Area
Tree Preservation Order
Lidsey Treatment Catchment Area
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
HERDM3	HER DM3 Conservation Areas
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
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 contains a large detached dwelling. This application seeks planning permission for a detached car port to the front (north) of the dwelling. Walberton House has a high brick walling surrounding the site, removing any views of the proposed car port from the street scene.

The proposed detached car port would measure 5.6m in width, 5.6m in depth and a maximum height of 3.9m. It would be constructed from timber with a clay tile roof, designed in the style of a simple rural structure. The proposed materials for the car port are acceptable.

While the proposed car port is forward of the existing building line, it would be entirely screened from the street scene by the high boundary wall. In this context, the proposed detached car port would not appear incongruous or out of keeping with the established character of the area.

The proposed detached carport would not harm the character or visual amenity of the area and are in accordance with policy D DM1 of the Arun Local Plan (ALP) and the Arun Design Guide (ADG).

NEIGHBOURING RESIDENTIAL AMENITY

The detached single storey carport would be set in 5m from the front boundary, 5.8m to the east (side) boundary with The Lodge and 9.2m to the west (side) boundary. The proposed carport would be a single storey structure and given its siting, existing boundary treatment and the spacing maintained between the car port and the neighbouring properties, the car port would not appear overbearing or result in overshadowing of neighbouring properties. Given the siting of the carport it would not result in any overlooking.

The proposed development is in accordance with policies D DM1 of the ALP as the proposal would not result in harm to neighbouring residential amenity.

HERITAGE

The Gatepiers and Boundary Wall of Walberton House to the north east of the house are identified as being Grade II listed. The property is also located within the Walberton Village Conservation Area. The area is characterised by a rich palette of traditional building materials, ranging from historic flint to a variety of brick types, with slate roofs and clay tiles dominating. One of the common building materials is flint; it is used in the construction of houses, outbuildings, and boundary treatment.

Policy HER SP1 of the ALP advises that designated heritage assets, including listed buildings and Conservation Areas, and their settings, will be given the highest level of protection, and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM1 requires that proposals preserve or enhance the historic character, qualities and special interest of the listed building(s). Policy HER DM3 requires that proposals preserve or enhance the character and appearance of Conservation Areas.

Paragraph 207 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 212 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposed car port would be 3.9m high at the roof pitch, while the boundary wall is approximately 4.6m high. The car port would be set back 5m from the wall and screened by mature trees, therefore it would not be visible from the street scene or in the context of the wall's more decorative elevation. The rear elevation of the wall would not be adversely affected by the proposed structure.

On balance, the proposed car port is considered to have a neutral impact on the conservation area and would not harm the setting of the listed building. As such, the proposal would not result in harm to the significance of the designated heritage assets.

The proposals will have a neutral impact on the significance of the listed building and conservation area in accordance with policies HER SP1, HER DM1 and HER DM3 of the ALP and the NPPF.

FLOOD RISK

The site is in a Local Flood Risk Zone as identified by the Lidsey Surface Water Management Plan. A sufficient Lidsey Drainage Impact Assessment has not been submitted. Policy W DM1 outlines that although minor developments are unlikely to raise significant flood risk due to the cumulative impact all development within the Lidsey Treatment Catchment must be accompanied by a Drainage Impact Assessment that must take account of both the individual and cumulative impact upon foul water disposal, flood storage capacity and surface water drainage or flood risk within the Lidsey Wastewater Treatment Works Catchment Area.

ADC Drainage Engineers objected. Their response highlights the importance of adequate surface water

disposal within the Lidsey Local Flood Risk Zone, which has a history of flooding, and the impact of discharging surface water into the foul sewer. The application contains insufficient information to evidence that the site can be sustainably drained.

Whilst drainage matters can often be resolved through a condition, as infiltration in the area is variable, drainage in this instance must be agreed prior to determination. This is to ensure that the development is not permitted with a condition which is then found to be unimplementable or results in a drainage design that is inadequate and may increase flood risk. In line with the Drainage Engineer's objection, there is insufficient evidence to demonstrate that the proposed development will be able to drain adequately and will not increase the risk of flooding elsewhere.

As such, the proposed development is contrary to policies W DM1, W DM2 and W DM3 of the Arun Local Plan, and the NPPF, and should be refused on this basis.

SUMMARY

The development is in the Lidsey Local Flood Risk Zone, where drainage and risk of flooding must be fully investigated. Insufficient information has been provided to evidence that the proposed drainage scheme is adequate for the site, and that it will not increase flood risk. The proposed development is therefore contrary to policies W DM1, W DM2 and W DM3 of the Arun Local Plan and the NPPF. For the reasons outlined above, the application is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 Insufficient information has been provided to evidence that the proposed drainage scheme is adequate for the site, and that the development would not increase flood risk. The proposed development is therefore contrary to policies W DM1, W DM2 and W DM3 of the Arun Local Plan and the NPPF.
- 2 **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 identifying matters of concern with the proposal and informing the Applicant. It has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.