

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

REF NO: WA/77/18/HH

LOCATION: Sunny Bank
Dairy Lane
Walberton
BN18 0PT

PROPOSAL: Demolition of existing single garage & construction of replacement double garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish an existing single garage, and replace with a double garage.

RELEVANT SITE HISTORY

WA/10/16/HH	Detached garage	ApproveConditionally 23-03-16
WA/14/13/	Rear and side single storey extensions.	ApproveConditionally 24-05-13

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Southern Water Planning
Engineers (Drainage)
Engineering Services Manager

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineers - Apply ENGD2B.

Southern Water - Southern Water require a formal application for a connection to the public foul sewer to be made by the applicant or developer. They request that the following informative be added to the application:

"A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>"

OFFICERS COMMENTS ON CONSULTATIONS:

The proposal replaces an existing garage, it is not considered that the change in footprint, it would be reasonable to apply ENGD2B.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM3	HER DM3 Conservation Areas
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Walberton Neighbourhood Plan Policy 2017 VE4](#) Conservation Areas and Areas of Special Character

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 located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally, Policy HP13 of the Walberton Neighbourhood Development Plan.

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 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 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

The proposed development is situated to the North of the host dwelling, however, as a result of boundary screening, by way of 1.8m fencing to the North, and foliage to the East, there are few views of the proposed garage available. Additionally, it has been confirmed by the agent that a landscaping scheme to provide further screening to the North is agreeable, and will be achieved via condition. This will also reduce the potential for harmful impact upon the adjacent conservation area. Resultant of this, and the design of the proposal, it is considered that the proposed development has no unacceptably adverse impact upon the character of the host dwelling, or its locality. Therefore, the proposed development is considered to be in accordance with D DM1 of the Arun Local Plan and HP13 of the Walberton Neighbourhood Development Plan.

Additionally, it is considered that with the imposition of the aforementioned landscaping condition, the proposed development does not conflict with HER DM3, in that the development does not harm views within the Conservation Area.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development extends 0.8m (at eaves) beyond the adjacent fencing, however, as a result of the proximity to the adjacent footpath, there is not consider to be a significant overbearing impact upon the street scene. The siting of the proposed development is over 15m from the closest neighbouring dwelling, which is considered to mitigate any significant overshadowing or loss of light at these properties. The application is considered to be in accordance with D DM1(3) 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, Existing and Proposed Block Plan - 0260/102 - Jul 18
- Proposed Floor Plans, Elevations, Roof Plan & Material Schedule - 0260/101 - Rev. A - Jul 18

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

- 3 No development above damp proof course (DPC) level shall take place unless and until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and/or soft landscaping. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun District 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.