

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

REF NO: WA/80/17/HH

LOCATION: 3 Homefield Crescent
Walberton
BN18 0PX

PROPOSAL: Demolition of existing rear conservatory & erection of single storey rear flat roofed extension. This application may affect the character & appearance of the Walberton Green Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to erect a single storey extension to the rear of this dwelling. It would replace an existing rear conservatory with a similar footprint to that proposed and be located the same distance from the joint boundary with no.4 adjoining. The extension would have a flat roof with 2 modest roof lights. No side windows are proposed and the extension would be constructed of matching materials.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The joint boundary with no.4 is hedging of 2m+. Other boundaries are wooden fencing of various heights.
SITE CHARACTERISTICS	The site is occupied by a bungalow which forms part of a pair of semi-detached bungalows. This is constructed of red brick with small plain red/brown roof tiles. There is a small rear ground floor element which extends beyond the main rear wall of the dwelling. To the front, there is parking for in excess of 2 cars, although some of this is occupied by a large caravan.
CHARACTER OF LOCALITY	The character of the locality is an established residential one.

RELEVANT SITE HISTORY

No site history.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Walberton Parish Council
Walberton Parish Council raises no objection.

No representations have been received from surrounding occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

The Councils Drainage and Coastal Engineer recommends a condition and an informative in respect of drainage.

Southern Water has requested an informative regarding sewerage connection.

COMMENTS ON CONSULTATION RESPONSES:

The drainage condition is not considered to be necessary since the proposed extension is a replacement.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Walberton Conservation Area is located to the north of the site approximately 40m away.

Lidsey Treatment Catchment Area

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings
AREA2	Conservation Areas

[Publication Version of the Local Plan \(October 2014\):](#)

SD SP2	Built-Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
HER DM3	Conservation Areas

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

Walberton Neighbourhood Plan Policy 2017 VE4	Conservation Areas and Areas of Special Character
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policy HP 13 Design Guidance in Walberton Neighbourhood Development Plan 2015 - 2035 is relevant to this application and this states:

Policy HP 13 Design Guidance

New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location. The Parish has two conservation areas and other visually sensitive points.

Reason: This is considered important in the drive to ensure the sustainability of high quality housing vital to the Parish. The policy will be to encourage the best, while preserving the sense of place and local distinctiveness that is valued by communities as part of a village's social cohesion and in planning terms to ensure that new development integrates at every level with the existing streetscapes and architectural / visual amenity for the benefit of new residents, existing residents and visitors.

Comment: Development will be expected to conform to the requirements of the emerging Village Design Statement for the Parish.

Policy VE4 states:

Proposals that adversely affect the setting of the two Conservation Areas will not be supported. New development must protect the open/rural character of the Conservation Area's setting and sustain or enhance the visual connections between the village's core and its rural hinterland, including longer views to the South Downs, which contribute to the character of the Conservation Area.

The proposal is in accord with these policies.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"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 or the setting 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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies in the Emerging Local Plan and Walberton Neighbourhood Development plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

The proposal has been sympathetically designed and subservient to the existing development at the site. Matching materials are proposed. The limited scale of development proposed means that it is not unduly dominant in the outlook from nearby dwellings and will not be generally visible from the surrounding area.

Overall, the proposal is not considered to give rise to harm to visual amenity and is acceptable in terms of design and is therefore considered to be in accord with policies.

RESIDENTIAL AMENITY

The adjoining dwelling no.4 has a flat roofed rear extension of similar depth to the proposed extension. Outlook from the rear of the adjoining dwelling is therefore not encroached into. The extension is screened from no.2 by a projecting rear element of the application dwelling.

Overall, the proposal is not considered to give rise to harm to residential amenity and is considered to be in accord with policies.

CONSERVATION AREA

The site is approximately 40m to the south of the Conservation Area with some intervening development in places and in any event the scale of the proposal is such that there can be no impact whatsoever either upon the Conservation Area or upon its setting.

PARKING

The proposed development does not give rise to an additional parking provision requirement and existing parking on the frontage is therefore adequate.

CONCLUSIONS

The proposed development is in accord with the Development Plan and acceptable in terms policy and material considerations.

It is therefore recommended that planning permission be granted 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 (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 drawings:

Drawing Number 17/56/3 - Site Plan - Dated November 2017

Drawing Number 17/56/2A - Proposed Floor Plans & Elevations - Dated November 2017.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match as closely as possible in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 INFORMATIVE

In respect of surface water drainage the Council Drainage and Coastal Engineer has advised:

Soakaways must be investigated for surface water disposal.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

- 5 INFORMATIVE

Southern Water has advised that the applicant appears to be intending to build close to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. However, under certain circumstances building over a sewer may be allowed. The conditions associated with the build over/close to a sewer are contained in Southern Water guidance notes which are available at: www.southernwater.co.uk. A formal application to build close to the sewer will required to be submitted by the applicant.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an 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.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission For example: "The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewer."

For further advice, the applicant is advised to contact Southern Water, Southern House,

Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"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"

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

- 6 **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.