

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

REF NO: WA/80/25/HH

LOCATION: Oak Bank
Wandleys Lane
Walberton
BN18 0QR

PROPOSAL: Two storey rear and single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

WA/2/23/PL	Erection of 1 No. new dwelling in garden land of Oak Bank with access from the existing dwelling (resubmission following application WA/97/22/PL). This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwelling.	ApproveConditionally 26-04-23
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REPRESENTATIONS

Walberton Parish Council - No response received.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

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 surface water drainage runoff destination has been suggested, the drive will be permeably paved. No evidence of any existing or proposed surface water drainage systems has been presented for review. It is the responsibility of the applicant or their drainage designer to provide this evidence. Without it, we are unable to assess whether the proposed development would increase flood risk. For this reason, we object to the proposal. The submission of such evidence may affect the scale and layout of the development.

The site is part of a Groundwater Source Protection Zone (2c). This should be considered by the surface water drainage design. As infiltrating to the drive is proposed, then the Environment Agency and Portsmouth Water should be consulted. It is expected that if infiltration is shallow then they are unlikely to

object. At present, no modelling or supporting evidence; such as ground investigations or drainage plans have been submitted for engineering assessment. In the absence this evidence, we cannot assess if flood risk will be increased by the surface water drainage of the proposed development. Therefore, this application does not accord with the NPPF as set out above.

POLICY CONTEXT

Prone to Groundwater Flooding.
Tree Preservation Order.
Groundwater Source Protection Zone (2c).
Lidsey Treatment Catchment Area.
Archaeological Notification Area.
Outside Built-Up 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 contains a two storey detached dwelling along Wandleys Lane. This application seeks planning permission for a two storey rear extension and a single storey side extension.

This application would involve the introduction of new external materials. The ground floor walls would be rendered and the first floor walls would be oak clad. The fenestration would be in sage green. There are examples of a variety of modern finishes in the area, including cladding to the north side neighbour, Acorn House. This section of Wandleys Lane is relatively secluded with just three properties along the northern aspect of the street scene. Therefore, the proposed alterations to the external materials would not harm the character of the street scene or wider area.

The proposed single storey side extension would be sited to the southern flank elevation and would measure 2m in width and 2m in depth and would have an eaves height of 2.3m. A catslide roof over this element of the extension would adjoin the two storey element of the host dwelling. The overall scale of the side extension would be subservient and well integrated with the host dwelling.

The two storey rear extension would measure 7.8m in width and 5.1m in depth. It would have a hipped roof with an eaves height of 4.9m and a maximum height of 7.4m, reflecting the existing height of the host dwelling. The rear extension would partially replace an existing single storey rear extension. The

Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. Rear extensions which project up to 3.3m are generally acceptable. Whilst the rear extension would exceed the guidance depth, the extension would be acceptable in this instance as it would maintain an acceptable distance (approx. 12.9m) from the rear boundary fence and the street scene of Wandleys Lane is varied in terms of extensions, with the adjacent neighbour to the north, Acorn House, an example of modern alterations. As such, whilst the rear extension would be large in scale, the extension would not result in demonstrable harm to the character or appearance of the host dwelling.

Whilst the proposal would alter the appearance of the dwelling, the development by reason of its size and design would not result in a harmful impact upon the street scene or character of the area and is therefore in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The application site has neighbours to both sides and to the rear. The proposed rear extension would have a distance of 12.9m from the rear boundary. The extension partially replaces an existing rear projection and the proposal would extend 1.1m closer to the rear boundary. To the south, the proposed extension would not extend beyond the rear elevation of this neighbour and there is a separation distance of 1.5m between the extension and the southern side boundary. To the north, there would be a separation distance of 2.1m with this neighbour. This is no closer than the existing distance, as such it is acceptable. Therefore, given the spacing maintained between the proposed built form and neighbouring properties, the proposed extensions would not result in overbearing or overshadowing impacts to neighbouring properties.

The single storey side extension would feature one window within the front elevation which would provide outlook to the driveway of the property and would not result in any overlooking impacts. No fenestration is proposed within the first floor level of the eastern flank elevation of the rear extension. Two windows are proposed within this elevation at ground floor level which would not result in harmful overlooking due to the existing high level boundary treatment. To the rear (west) elevation, bifold doors would provide outlook to the rear garden. At first floor level, the two windows would give rise to views onto the rear garden and would not be significantly different to those achieved from the existing windows given the 12.9m distance to the rear boundary. To the north (side) elevation, ground floor fenestration would be screened by the existing high level boundary treatment. At first floor level, there is one additional window which would not give rise to views which would not be significantly different to those achieved from the existing window.

The proposed development would not harm the residential amenity of neighbouring properties in accordance with policies D DM1 and D DM4 of the ALP and the ADG.

LIDSEY TREATMENT CATCHMENT AREA

The application site is located within the Lidsey Treatment Catchment Area where the management of surface water drainage is a consideration in reducing flood risk in the locality. The site is also part of Groundwater Source Protection Zone (2c). The proposed extensions would result in increased floor area. The applicant provided a Lidsey Drainage Impact Statement, however it does not adequately describe how the development will address surface water drainage. The Council's drainage engineers were consulted on this application and provided an objection on the basis of insufficient information to evidence that flood risk will not be increased a result of the proposed development.

The proposed extensions would partly replace an existing structure to the rear, and the majority of the extensions would extend over existing hardstanding. It is noted that a minor part of the rear extension would extend over existing grass, however given that the vast majority of the proposed development would extend over existing hardstanding, it would not be reasonable to refuse planning permission in this instance. An informative is attached to the planning consent outlining appropriate drainage interception features for the scale of the development.

Given that the proposed extensions would extend over an area which currently partly comprises hardstanding, a refusal on drainage grounds would not be reasonable in this instance. The proposals would not increase flood risk elsewhere, in accordance with policies W DM1 and W DM3 of the ALP.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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:

Proposed Plans & Elevations 25020/001P REV C.

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: The applicant is advised that drainage interception features are to be provided where possible to make a positive contribution to reduce surface water. In recognition that the National Planning Policy Framework states that SuDS should be proportionate to the nature and scale of the proposal, the following interception features can demonstrate compliance without further detailed assessment:

- Infiltration features designed to meet extreme rainfall standards.
- Water butts or other means of reuse that are not designed for regular daily demand attached to all new downpipes.
- Raingardens and bioretention features attached to all new downpipes.
- Permeable surfacing.

- 5 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.