

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

REF NO:	WA/94/17/HH
LOCATION:	Byways West Walberton Lane Walberton BN18 0QS
PROPOSAL:	Side extension & garage conversion, new dormers to front & rear elevations, 3 No. roof lights to side elevations, 2 No. solar panels to side elevation & 1 No. new window to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed two storey side extension measures approximately 1.6m wide at ground and first floor level but includes extending the roof to the existing ridge height to provide first floor accommodation, the first floor part would be 4.6m wide. The extension would have a length of 7.7m and be 6.5m high (max). The two gable dormers would measure 1.5m wide buy 2m high. The existing garage would be converted to accommodation but no increase in footprint only a new window to the rear and it would have a height of 3.6m. The front bay is replaced with a window and there is a removal of a door on the rear elevation. An additional roof light is proposed in the north west roof slope. Materials would match the existing property.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front has a mix of boundary wall and mature planting. To the rear there is a mix of fencing approximately 1.8m high and mature planting.

SITE CHARACTERISTICS	The property is an irregular shaped chalet bungalow with a porch to the front and rear extension. The property is constructed from render beneath a tile roof. The property is situated on a reasonable size plot with mature planting.
CHARACTER OF LOCALITY	Residential comprising a range of properties of different sizes and designs. The area is in a rural location with open countryside closeby.

RELEVANT SITE HISTORY

WA/91/99/	Rear extension to provide study, bathrom, lobby, wc, conservatory, replacement garage, roof alterations to provide master bedroom and ensuite.	ApproveConditionally 04-01-00
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No relevant planning history

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Walberton Parish Council

Walberton Parish Council has no objection.

No response to public consultation

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineer recommends conditions to any permissions.

Southern Water recommend informatives to any permission.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and conditions and informatives are included on the permission

POLICY CONTEXT

Designation applicable to site:
 Outside built up area
 Lidsey Treatment Catchment Area
 Area of Special Control of Advertisements

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN3	Protection of the Countryside
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
C SP1	Countryside

Walberton Neighbourhood Plan Policy 2017 HP13 Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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. A consultation into the proposed modifications ended in mid February 2018.

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.

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).

The relevant policy of the Walberton Parish Council NP has been taken into account.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"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.

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

The property is outside of the built up area boundary, where in principle new development should be normally resisted. However, as this is a householder extension and extensions can be acceptable subject to compliance with other policies in the Arun Local Plan including DEV19; the principle of the extension is acceptable.

Whilst the extension would be visible from the street scene it is not considered to be unduly dominant or incongruous. The two storey extension is located on the north side of the property and although only 1.6m at ground floor level, the design incorporates a change to the roof to extend first floor accommodation. The resultant roof being proposed up to the current ridge height of the property and designed with a bonnet hip. Two dormer windows are proposed in the front and rear roof slope but these are well positioned on the roof slope and are not a dominant feature. The proposed extension would be sited approximately 1m from the side boundary with Christmas Cottage to the south east

The garage conversion does not involve an increase in size just a change to the roof which appears less dominant and window and door in the existing elevations. The loss of the bay window and porch to the front is not considered unduly harmful nor the window and door changes to the rear.

Materials would match the existing property. There is no loss of garden space which retains a depth of

approximately 19m. As such, it is considered, that the development, as a whole, to be acceptable in design terms and is not harmful to the character and appearance of the wider area or the host property.

Due to its position the proposed extension would have an acceptable impact upon the occupiers of the property, to the north west, Spindlewood Cottage or properties to the rear (north east) on Copse Lane. However, an additional velux window is proposed on the north west elevation of the property facing the roofslope of Splindlewood Cottage. So as to avoid undue overlooking into the velux windows located on the roofslope of Splindlewood Cottage a condition is proposed.

The proposed extension would be sited approximately 1m from the side boundary with the property Christmas Cottage, to the south east. This property is built close to the boundary and has windows at ground floor and roof lights in the roof slope, however, the proposed scheme has no first floor windows in the side elevation and as such it is not considered that there will be a loss of privacy to the adjoining occupiers. This can be secured by a suitable planning condition to require permission for any future windows on this elevation. Also given the design and size of the proposed extension and position of the neighbouring roof lights it is not considered that the proposed development will be unduly dominant upon or lead to a loss of outlook to the occupiers of Christmas Cottage. The rear dormer may increase views of the rear garden but this is not considered sufficient to merit refusal. The other proposed changes including the garage conversion and additional windows and roof lights are not considered harmful to the amenity of adjoining occupiers.

Although the garage will be converted there is sufficient space at the front for off street parking and therefore there are no parking implications from the proposed development.

Therefore, the proposed development is not considered to be harmful to the visual amenities of the area or the neighbouring occupiers. As such the proposal complies with adopted planning policies in the Arun District Local Plan and the Walberton Neighbourhood Plan.

Therefore, planning permission is granted subject to the following conditions.

HUMAN RIGHTS ACT

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

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 07/088-001, 07/088-002, 07/088-003, 07/088-004, 07/088-005 & 07/088-006

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 roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

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

- 4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the south east elevation/wall of the extension facing Christmas Cottage, without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 The additional window proposed for the northwest roofslope of the property shall be obscure glazed and fixed shut up to 1.7m from the finished ground floor level.
- Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.
- 7 INFORMATIVE: 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 through our new charging arrangement documents which has now been published and is available to read through on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
- 8 INFORMATIVE: It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order
a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer
- 9 INFORMATIVE: 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.
- The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- 10 INFORMATIVE: Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development". Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.
- 11 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.