

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

REF NO: AW/314/19/HH

LOCATION: 17 Frobisher Road
Pagham
PO21 3LT

PROPOSAL: Single storey rear extension and loft conversion to form new 2nd floor with alterations to roof to form gable end and rear dormer projection.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Parish Council:

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest
Pagham Harbour Zone B
Within the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

Principle

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4. The site is occupied by a detached property with front and back gardens in a mixed design area.

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 D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Aldwick does not have a 'made' Neighbourhood Plan however does have a Parish Design Statement. The property is located within Area 7.

Site history

Relevant site history noted.

DESIGN AND VISUAL AMENITY

The applicant seeks planning permission for the construction of a rear extension to the established dwelling. The proposed rear extension will measure approximately 5.975m wide, 6m in depth and be built to the proposed height of 2.6m with roof lights that raise the total height by a further 0.2m. The proposed extension given its location will not be visible from the street scene. It will therefore not have a detrimental impact on the character of the host dwelling or the street scene.

The dormer is not considered overly dominant and sit comfortably within the roof slope. Whilst the proposal will alter the appearance of the dwelling it is not considered such that it will adversely impact upon the spatial pattern or character of the area due to the location on the rear of the property and as such accords with DDM1 and DDM4 of the Arun Local Plan.

It is noted that the proposed development constructs a living space within the roof, the roof alterations are considered to be subservient to the host dwelling due to the height of the proposal matching that of the dwellinghouse. Due to its design it is sufficiently well integrated with the appearance of the host dwelling. Additionally, there are examples of similar development within the locality, which is considered to allow the proposal to have no significantly harmful impact upon the character of the locality.

The proposed works considered to appear subservient to the host dwelling and would not result in any adverse impact on the spatial pattern or character of the area and would therefore accord with the policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension will be located 16m from the southern boundary which fronts the youth

centre and will run the width of the majority of the property. On the northern elevation there is 1 No. proposed set of doors to the rear that are to be the same style as the existing. The proposal includes two roof lights, these are not considered to cause any overlooking by virtue of their location given the proposal looks over the railway line therefore it has no impact on neighbouring amenities.

The proposed development is not considered to have any significantly harmful impact on the residential amenities of neighbouring occupiers. This is as a result of its siting and scale allowing no significantly harmful overshadowing of the occupiers of #19 Frobisher Road and #15 Frobisher Road. The proposed rear windows on the first floor provide views into the rear and gardens of neighbouring dwelling. In the dormer the window to the bathroom will be conditioned to be obscure glazed to ensure there is a limited level of overlooking. However, with the inclusion of this condition the impact on residential amenity is considered acceptable. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

Given the design and location of the extension it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing and overbearing and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

The 45 degree rule does impact this application as all development would be within the view of the window on the neighbouring properties southern elevation. The impact on residential amenities is acceptable given that the extension is single story and has a flat roof. Therefore, it does not appear to be overbearing on the property and does not significantly impact the view from the adjoining property, therefore it is not a cause 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) 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:
- Location Plan and Ground Floor Plan (Sheet 1 of 3)
 - Proposed Roof Plan (Sheet 2 of 3)
 - Proposed Floor Plans and Elevations (Sheet 3 of 3)

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 The bathroom window in the dormer on the Southern elevation shall be obscure glazed and consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/D DM4 of the Arun 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.