

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

REF NO: P/103/26/HH

LOCATION: 2 Elm Close
Pagham
PO21 4RP

PROPOSAL: Proposed single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Pagham Parish Council - No objection.

1. No letter of objection received from a nearby occupier for the following reason:
- Active bat roost present and a Preliminary Bat Roost Assessment has not been submitted by the developer as per the Conservation of Habitats and Species Regulations.

Concerns raised regarding the presence of bats at the site have been investigated and considered as part of the assessment of the application. The Ecology Officer has been consulted on the proposed development and the response is included below.

CONSULTATION RESPONSES RECEIVED:**ECOLOGY OFFICER**

The evidence provided in the video shows there is a bat foraging in the area. No date or time of the video is provided.

This video does not confirm that there is a roost, just that there is bat activity. The light levels suggest it is dusk. Because of that the roost is likely to be local to the property. The roost is most likely to be a transient day roost. Bats may roost in multiple locations during the active season.

The dwelling concerned is a modern bungalow and the roof and property looks to be in good condition. Bats tend to prefer older buildings pre-1940's because of the roosting features they offer.

I think the risk of this development causing harm to bats or disturbing a roost is very low.

Requiring a roost assessment would be disproportionate for the level of proposed development.

I advise that an informative is added to the decision to ensure compliance with current legislation for protected species.

POLICY CONTEXT

Built-Up Area Boundary.

Pagham Harbour Zone B.

Within an area with potentially high ground water.

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)

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 AMENITY

The site is a detached bungalow located at 2 Elm Close. The application seeks planning permission for the construction of single-storey rear extension.

The proposed development is sited within a residential area characterised by a mix of detached bungalows and dwellings, several of which have single-storey rear additions. The extension would be located to the rear of the property and would not be readily visible from the street scene.

The proposed single-storey rear extension would have a width of 5.7m and a depth of 3.3m and would comply with the Arun Design Guide (ADG). It would have a pitched roof set down from the main ridge line, with an approximate height of 4.7m and would include a rooflight in the southern roof plane. The rooflight would be in accordance with Part M of the ADG as it would maintain the privacy of the neighbouring properties. Therefore, the proposed single-storey rear extension would not result in harm to the visual amenity of the host dwelling or street scene and would be in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4, and the ADG.

The extension would include a four-casement triangular feature window above a four-panel bi-fold door and finished to match the existing dwelling. All other fenestration would remain unchanged.

The proposal would be finished in light brown face brick and roof tiles to match the existing dwelling, with timber-effect shiplap cladding within the gable. The use of matching materials would ensure the single-storey rear extension integrates appropriately with the host dwelling.

Overall, the proposed single-storey rear extension would not result in harm to the character, appearance, or visual amenity of the host dwelling, street scene or wider area, and would therefore be in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4, and the ADG.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed single-storey rear extension would be set in 8.9m from the rear eastern boundary, 1.2m from the southern side boundary and therefore would comply with the ADG. Given the existing high boundary treatment and separation distances, the proposal would not result in overshadowing or overbearing impacts to neighbouring properties.

Fenestration would be limited to the rear elevation and have an outlook of the host dwelling's garden amenity and to the rooflight set in the southern roof plane. The proposal would therefore not result in any overlooking or loss of privacy to neighbouring properties.

The proposal would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. It is therefore in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

BIODIVERSITY

Following an objection raising concerns about the potential of bats roosting within the property the Council's Ecology Officer was consulted and reviewed the submitted photograph and videos. While the evidence shows bat activity near the site, the photograph and videos were not dated or time stamped. Furthermore, they do not show bats entering or leaving the application property or confirm that a roost is present within the building.

The submitted videos appear to have been taken at dusk and suggests bat activity in the local area rather than evidence of a roost within the property. The application dwelling is a modern bungalow and the roof appears to be in good condition, with no obvious external gaps, cracks or features suitable for bat access. It is noted that bats tend to prefer older buildings pre-1940's because of the roosting features they offer.

Taking account of the limited scale of the works, the condition of the building and the absence of evidence of a confirmed roost, the likelihood of harm to bats or disturbance to a roost is considered very low. A Preliminary Roost Assessment (PRA) is therefore not considered necessary or proportionate in this case.

However, given the legal protection afforded to bats and their roosts, an informative will be added to the application stating that works must stop immediately and ecological advice is sought if bats, or evidence of bats, are found during construction.

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:

- Existing Plans (With Location Plan).
- Block Plan.
- Proposed Plans.

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 if bats, or evidence of roosting bats, are found within the roof or elsewhere during works, all works affecting that area must stop immediately. Advice must then be sought from a suitably qualified ecologist. Works must not restart until appropriate ecological assessment, and advice has been obtained and approved by the LPA. If a licence or mitigation measures are required they must be place before work recommences. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

- 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.