

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

REF NO: P/11/15/HH

LOCATION: 31 Swandene
Pagham

PROPOSAL: Rear extension & garage conversion (resubmission following P/112/14/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed rear extension has a width of 9.5m, maximum depth of 4.5m with a height of 2.8m.
SITE AREA	Approximately 467 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is open to the highway, close boarded fencing approximately 1.8m in height surrounds the site.
SITE CHARACTERISTICS	Two storey dwelling with conservatory on rear (to be removed), attached garage on west side. The property has brick and rendered elevations with white cladding on upper level, tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising a mixture of terraced two storey and detached properties.

RELEVANT SITE HISTORY

P/112/14/HH	Rear extension and garage conversion	ApproveConditionally 22-12-2014
P/32/63/V	9 one storey dwelling with garage	ApproveConditionally 11-08-1966

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

The exact position of the public foul sewer, foul rising main and surface water sewer crossing the site. The exact position of the foul and surface water sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

No development or new tree planting should be located within 3 metres either side of the centreline of the foul rising main.

No development or new tree planting should be located within 3 metres either side of the centreline of the foul sewer and surface water sewer.

No new soakaways should be located within 5 metres of a public sewer.

All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came into 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.

Southern Water requires a formal application for a new connection to the foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, an informative is placed on any consent.

Comments on Consultation responses:

Southern Water comments noted

If approved, an informative will be placed on any consent.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

PD Restriction

Art 4 Direction

Public Sewer On Site

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
 GEN2
 GEN7

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

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
D SP1 Design

SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

PDS

Pagham Parish Council's Village Design
Statement by PaghamPC

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kington, Littlehampton, Rustington and Yapton.

The Pagham Neighbourhood Development Plan has not been made.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 application is a re-submission of approved application P/112/14/HH for a rear single storey dining room extension and garage conversion to create a master bedroom with en-suite.

The extension which has been reduced in depth on the western side from 4.5m to 1.6m as it was found that a public foul rising main sewer was located across the proposed extension as previously approved. The extension is now located more than 3m away from the main sewer and 3m restriction zone. The garage is to be converted with the removal of the up and over doors and new window installed on the front which will match the existing windows.

With regard to residential amenity the neighbouring property to the west No 29 has an extension on the rear of the dwelling. The proposed extension will be sited to the boundary with No 29 and at this point will have a rear projection of approximately 1.6m. The Council as a consideration in determining planning applications have adopted a 45 degree rule which is used as a tool to balance the interest of those persons wishing to extend their premises and their neighbours by ensuring that extensions do not seriously affect a neighbours outlook or daylight. In this instance the 45 degree line has been taken from the middle point of the patio doors on the extension and complies with this rule.

The neighbouring property to the east No 33 is sited forward of No 31 and this property has a flat roof extension on the rear which projects out by approximately 3m. The proposed extension will be sited approximately 1m from the eastern side boundary and at this point will have a rear projection of 4.5m. The 45 degree line has been taken from the middle point of the patio doors and is slightly short of this rule. It should be noted that an extension with a depth of 4m could be constructed under "Permitted Development" without the need for the submission of a formal planning application. The existing conservatory has a depth of 3.5m and the proposed extension will be approximately 1m deeper than the existing. To provide additional light into the extension a high level window is proposed on the east side elevation which will be obscure glazed. With its flat roof to a height of 2.8m and boundary fencing to a height of 1.8m it is not considered that the extension would give rise to a loss of outlook and daylight to the occupiers of No 33 to recommend refusal.

It is considered that the development would be in keeping with the character and appearance of the locality and would not have a significant impact on the visual amenities of the locality or residential amenities of the occupiers of the neighbouring dwellings.

It is therefore recommended to approve the application, subject to conditions.

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 received on 26th February 2015.

Site 1:1250.

Block 1:500.

Proposed Floor/Roof 1:100 Drg No AB004 Rev B.

Proposed Elevations 1:100 Drg No AB003 Rev B.

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 window on the east side elevation of the building shall at all times be glazed with obscured glass.

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

- 4 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.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.