

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

REF NO: P/146/25/HH

LOCATION: 36 East Front Road
Pagham
PO21 4SI

PROPOSAL: Removal of existing detached garage, erection of new detached garage and detached outbuilding and entrance gates.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

P/7/24/NMA	Non-material amendment following the grant of P/102/23/HH relating to external finishes.	Approve 12-02-24
P/102/23/HH	Removal of existing conservatory and erection of single story front and side utility and store extension.	ApproveConditionally 11-10-23
P/113/22/PL	Demolition of existing sub-standard dwelling and construction of new replacement dwelling.	Withdrawn 12-09-22
P/117/19/PL	Replacement of 1 No. dwelling.	Refused 01-05-20

REPRESENTATIONS

Pagham Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC Coastal Engineers - No response received.

POLICY CONTEXT

Built-Up Area Boundary.
 Pagham Harbour Zone A.
 Flood Zones 2 and 3 (and future climate change 3a).
 Area of Character.

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)
HERDM4	HER DM4 Areas of Character
WDM2	W DM2 Flood Risk
WDM4	W DM4 Coastal Protection

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site comprises a detached bungalow located at 36 East Front Road, Pagham.

The proposal seeks planning permission for the demolition of existing detached garage and the erection of new detached garage, entrance gates and an outbuilding which would create an office space and a games room. Given their location, these works would be visible from the street scene.

The proposed outbuilding, which would accommodate an office and games room, would be 2.9m in height, 11m in length and 3.9m in width. The outbuilding would be positioned to the front of the plot, typical of dwellings on East Front Road, with numerous examples of both pitched and flat roof structures in the front amenity areas. The outbuilding would have a flat roof, including a skylight positioned centrally above the games room, with a smaller roof light servicing the bathroom. There would be 2 doors, one on each of the north and east elevations, with two further windows on the north elevation, providing views of the front amenity area. The proposed outbuilding would be finished in colourwash and render with white UPVC fenestration, appropriate for the locality and coastal setting.

The detached garage would be erected to the front of the dwelling, replacing an existing garage set for demolition. The garage would be constructed 0.6m closer to the boundary shared with 38 East Front Road than the existing garage and would be set back 1.1m from the front of the property, to match the proposed outbuilding. The change in footprint is marginal and would not detract from the visual amenity of the host dwelling. The garage would have a flat roof of the same height as the outbuilding and be constructed out of the same materials, helping the garage to appear a subservient addition that integrates well with both the proposed outbuilding and host dwelling.

Given the size and scale of the proposed outbuilding and garage, it is reasonable to attach a condition to this planning permission to ensure that the proposed outbuilding and garage remain ancillary to the host dwelling, to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings, in accordance with policy D DM1 of the Arun Local Plan.

The proposal includes 1.8m high sliding wrought iron gates across the front of the access. This style of enclosure and boundary treatment is commonplace along East Front Road. That gates would not appear overbearing or oppressive, owing to their unobtrusive form.

In summary, the proposed development would not result in harm to the visual amenity of the host dwelling or the surrounding area and the proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

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.

Both structures would be set back 1.1m from site boundary with the highway and set in 0.5m from the neighbouring boundaries. Given the garage would be sited similarly to the existing garage, there would be no harm to neighbouring residential amenity in respect of this.

The proposed outbuilding would be visible from 37 East Front Road and would sit approximately 1.5m higher than the existing boundary wall. The proposed outbuilding would be separated from the front elevation at 37 East Front Road by 3.1m and would run parallel to their side elevation. The outbuilding conforms to architectural form and use of space along East Front Road and would not result in unacceptable overbearing or overshadowing impacts to the neighbours.

Fenestration is proposed on the west, east and south elevations of the garage, and on the east and north elevations of the outbuilding. These would provide an outlook of the front amenity area and would not introduce any views into either neighbouring property that could not be achieved already.

In summary, the proposed development would not result in harm to neighbouring residential amenity, in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

AREA OF CHARACTER

The application site is located within the Pagham Beach Estate, which is identified as an Area of Character and considered a non-designated heritage asset under the National Planning Policy Framework (NPPF). Developments within such areas should aim to preserve and enhance the special character and significance of the non-designated heritage asset.

Policy HER DM4 sets out criteria for which proposals within Areas of Character must meet to be acceptable. These include the retention of buildings and other features that preserve and enhance the special character of these areas.

Para 202 of the NPPF states that for proposals within Areas of Character, 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The works are suitable for their context, and would not adversely harm the visual appearance or character of the property. They retain the character of the area and preserve the significance of the asset. The proposal would not result in any harm to the non-designated heritage asset and as such is acceptable.

The works are in accordance with HER DM4 and HER SP1 of the Arun Local Plan, and the NPPF in that it will protect and enhance the significance of the area of special character. In making this determination great weight has been given to heritage assets as required by NPPF section 16.

FLOOD RISK

The proposed development is located within National Flood Zone 3 and the future Flood Zone 3a, which includes flood risk predictions up to the year 2111. The application is supported by a comprehensive Flood Risk Assessment (FRA) prepared in accordance with the requirements of the National Planning Policy Framework (NPPF).

The FRA concludes that the site is currently considered to be at low risk of flooding, and there are no recorded incidents of flooding at this location to date. The site benefits from existing flood defences and is further protected by a maintained sand and shingle beach under the management of the Local Authority.

In the absence of formal consultation responses from ADC Coastal Protection, the Local Planning Authority (LPA) is satisfied that the recommendations set out within the FRA are acceptable. The proposals would not conflict with policy W DM2 of the ALP. Given the moderate scale of the development and the existing hardstanding, the scheme would not result in an increased flood risk to the surrounding area or the Coastal Change Management Area (CCMA).

COASTAL PROTECTION

The application site is located within the Pagham Beach Estate, where the Pagham Interim Development Framework applies. Under this framework, the proposed outbuildings and entrance gates fall within Category 5 (Non-habitable development), which is permitted subject to conditions ensuring the structures remain non-habitable.

To secure compliance with the framework, it is recommended that a condition be imposed requiring the outbuildings to be used solely for ancillary purposes and not as independent habitable accommodation. It is noted that a condition is attached to this planning permission to ensure that the outbuilding and garage remain ancillary to the host dwelling, thus the proposal is acceptable in this regard.

PARKING

The application site is located within Parking Zone 2 and, in accordance with the Arun Parking Standards, the dwelling is required to provide two parking spaces. The proposed garage would measure approximately 3.6m in width and 7m in depth and would be capable of accommodating a vehicle. As such, it would qualify as a parking space in accordance with the ADG.

In addition, the area to the front of the dwelling is of sufficient size to accommodate a further vehicle. The proposal would therefore continue to comply with the parking requirements set out in the Arun Parking Standards.

SUMMARY

The proposed development is in accordance with the relevant development policies and as such 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

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 Floor Plans Sheet 1 of 3
 - Location and Block Plans, Existing and Proposed Elevations, Elevation of Gate Sheet 2 of 3
 - Existing Floor Plans, Existing Elevations, Existing and Proposed Roof Plans Sheet 3 of 3
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.
- 3 The detached outbuilding and detached garage hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 36 East Front Road, and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 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).

- 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 National Planning Policy Framework.