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

REF NO: P/15/18/HH

LOCATION: 34 St Thomas Drive
Pagham
PO21 4UB

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the property is mostly open plan with the rear and east boundaries consisting of fencing around 1.8m high. There is a garage situated to the west boundary followed with further fencing.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow with a garage to the rear.
CHARACTER OF LOCALITY	The area is predominantly residential with similar housing types and styles.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

Parish Council provided an objection to the application
- It is felt there is a danger of superimposing load onto the existing foundation of the neighbouring garage
- Fire risk arising from the proximity of the neighbouring garage.

No representation from nearby occupiers

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. It is noted Building Control would ensure materials used met the minimum fire

resistance requirements and any structural issues would be covered under Building Regulations.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN7	The Form of New Development
GEN2	Built-up Area Boundary
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

SD SP2	Built -Up Area Boundary
D SP1	Design
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

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. The plan was subject to consultation until 23rd 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).

Policy 1 and 3 of the emerging PNDP are of relevance to the proposal and the proposal complies with these policies.

Pagham does not have a 'made' neighbourhood plan, but does a village design statement which will be a material consideration during the planning process.

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

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. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan.

DESIGN AND VISUAL AMENITY
The proposed extension is situated to the rear of the property. Whilst the main bulk of the extension isn't visible from the street scene the far west side will be visible as it stands where the existing garage is. Due to the part of the extension that will be visible being of similar height and size as what currently exists it is not considered to have an unacceptable adverse impact upon the street scene. Due to the height and materials used which match that of the existing it is considered that the extension will appear subservient to the main dwelling. Therefore it is considered the development will not have any unacceptable adverse impacts upon the spatial pattern or character of the area and will accord with DEV19 and GEN7 of the Arun District Local Plan.

NEIGHBOURHOOD RESIDENTIAL AMENITY
The proposed extension will extend into the rear garden of the property by around 5m. This is about 2.5m further than the extension that currently exists. The proposed extension will replace the existing garage and sit slightly further forward by around 1m at the northern boundary where it then joins the rear wall of the dwelling.

The extension will install doors to the south which will overlook the rear garden with around 15m separation distance to the rear boundary. There are no proposed windows to the side elevations of the extension and therefore it is not considered to give rise to any harm to the amenity of adjoining occupiers due to the loss of privacy or outlook. The proposed extension runs parallel along the eastern boundary where there may be potential for slight loss of light to the neighbouring property however this is not considered to be significant and unacceptable given the boundary treatment and height of the extension.

The proposed development by virtue of its single storey construction and height is not considered to give rise to any unacceptable adverse overbearing, overshadowing or overlooking impacts upon the neighbouring residential amenity and therefore in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

SUMMARY
The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL
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, block plan and Proposed floor plan- sheet 1 of 1
- Proposed elevations- sheet 2 of 2
- Existing elevations, Floor plan and Roof plan as existing and proposed - sheet 3 of 3

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 roof of the building 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 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.