

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

REF NO: P/22/18/HH

LOCATION: 46 The Green
Pagham
PO21 4SB

PROPOSAL: Two storey/dormer extension to side of property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	Proposed two storey side extension to replace the existing single storey side garage. It would reach the side boundary and be 5.5m high with a flat roof it would be 2.5m wide. The first floor dormer extension would be 7.5m long and 10.3m long at ground floor level including a side and rear extension measuring 2.8m deep and 3 m high. It would have a car port section to the front. Materials to match existing.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property is open to the front. To the rear there is timber fencing approximately 1.8m high.
SITE CHARACTERISTICS	Detached bungalow with very high pitched gable roof. This has a side dormer and living accommodation in the roof so the property appears as two storey. Constructed of brick with cladding to first floor with attached garage to side and driveway with garden to front and rear.
CHARACTER OF LOCALITY	Uniform detached bungalows with various extensions within suburban area. The properties face a green which has many mature trees.

RELEVANT SITE HISTORY

There is no relevant planning history.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council no response to date.

No response to public consultation

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

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

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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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. A consultation into proposed modifications ended in 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. The proposal complies with these policies.

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

The site is located within the built up area boundary within a residential area. As such the principle of the extension is acceptable.

The two storey side extension would be set down from the roof and back from the front giving a subservient appearance to the main property. Whilst a 1m set back from the boundary would normally be required by policy, however there is a similar extension on No.44. Furthermore, the area is characterised by other two storey side extensions. As the area is characterised by extensions of this type it is considered that it would be unreasonable to require the 1m set off. The extension would also match the pattern of development in the area.

The extension extends to the rear at single storey level but this is also not considered harmful to the character and appearance of the property or the wider area.

The proposed extension is to be of materials to match existing and overall would be acceptable in design terms.

Given the position of the proposed extension it will not have an adverse impact on the amenity of the adjoining occupiers at No.48. As the extension will replace an existing single storey garage, not extend to the front of the main front elevation and not project significantly to the rear (not at all at first floor level, it is not considered to be overbearing or visually intrusive to the residential amenities of number 44.

The first floor dormer window of number 44 facing the proposal serves a bathroom with obscure glazed windows and at ground floor there is only a side door. As such it is not considered to be overbearing or result in significant overshadowing of no. 44.

No side windows are proposed in either first or ground floor, a condition will be included to prevent any further windows in that side elevation should permission be granted. The proposed rear first floor window is not considered to increase communal overlooking to a detrimental level.

It is not considered that there are any parking implications arising from the proposed development.

The proposed development is considered to comply with adopted planning policy in the Arun Local Plan, the emerging Pagham Neighbourhood Plan and the Pagham Village Design Statement and as such is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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 site plan Rev B, existing floor plan, existing elevations, proposed floor plans Rev A, proposed elevations & existing and proposed roof plans 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 materials and finishes of the external walls of the extension 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the west elevation wall of the extension facing No.44 The Green without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.
- 5 **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.