

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

REF NO: P/32/22/HH

LOCATION: 16 Spinnaker View
Pagham
PO21 3FL

PROPOSAL: Single storey rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey rear conservatory.

RELEVANT SITE HISTORY

P/176/21/PDH	Notification under extended permitted development rights for a single storey rear conservatory measuring 4.5m from beyond the rear wall of the original dwelling house, with maximum height of 3.30m and eaves height of 2.50m.	Objection 31-01-22
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REPRESENTATIONS

Pagham Parish Council - No Objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Tree Officer - No response

POLICY CONTEXT

Built Up Area Boundary
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest
Article 4 Direction
CIL Charging Zone 4

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)
DSP1	D SP1 Design

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
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Part M and criteria outlined in the Arun Design Guide is also considered.

Pagham does not currently have a 'made' Neighbourhood Plan but does instead have a Village Design Statement, of which is relevant to this application.

DESIGN AND VISUAL AMENITY

The proposal is located to the rear of the property and will not be visible from the wider area.

The conservatory will project 4.5m from the rear elevation of the property and will be 2.5m wide. It will have a hipped glass roof, which although differing to the gable roof of the host, is acceptable and will not appear unduly out of place. The conservatory itself is a lightweight structure, due to its materiality, and will not be overly obtrusive on the visual appearance of the property. Being to the rear, it will not be visible from the street scene, and will have no impact on the appearance or composition of the locality.

The conservatory appears subservient to the design of the host and is appropriate in its scale and massing. It will have brickwork to the damp proof course, matching that of the property, and be constructed of white UPVC frames, UPVC panels to the east elevation, and a glass roof. These materials are acceptable and will have minimal impact on the visual amenity of the property.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. The proposal complies with the above, being in keeping with the scale and massing of the dwelling and posing little harm to visual amenity. 15.4m is also retained to the rear boundary line, preserving a sufficient amount of garden space.

The development will have no adverse harm on the visual amenity and character of the property, and the locality, and is in accordance with D DM1, D DM4 of the Arun Local Plan, Pagham Design Statement, and the Arun Design Guide.

RESIDENTIAL AMENITY

The conservatory is single storey and will have a hipped roof at a height of 3.3m, and 2.4m at the eaves. This roof will be glass and will help to ensure there is limited impact on residential amenity in terms of overbearing or overshadowing. A distance of 0.1m will be retained to the east boundary, 15.4m to the

north, and 1.8m to the west. Given the depth of the proposal, and proximity from side boundaries, neighbouring properties No.14 and No.18 are at risk of some overbearing or overshadowing. The conservatory conflicts the 45 and 60 degree line when taken from the closest window of No.14, and only conflicts the 45 degree line when taken from the window of No.18. As such, there will be some impact of the proposal on these properties, but given it is a glass conservatory and the upvc panels are only just above the height of a 2m fence, this impact will be limited and is not unacceptably harmful to neighbouring amenity. The proposal is in accord with D DM4 and will not have adverse impact on residential amenity.

The conservatory is primarily glass, with glazing to most of the west elevation, and French doors with windows to the north. The features to the north do not overlook any neighbouring properties and will have no harm on residential amenity. Although facing towards the garden of No.18, the features to the west will not unduly overlook this property and are acceptable, with any potential visibility restricted by an existing 1.8m fence situated on the boundary. There will be white UPVC panelling covering the eastern elevation of the conservatory, and as such no overlooking will be possible of No.14, resulting in no harm to their residential amenity.

The Arun Design Guide states that extensions should not negatively impact, and instead 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. The proposal complies with this and is in accord with the Design Guide.

The development will not result in adverse overbearing, overshadowing, or overlooking of neighbouring properties, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the relevant development plan 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:
 - Location Plan
 - Block Plan 13.03.2022
 - Proposed Elevations 13.03.2022
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 **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.