Recommendation Report for Planning Permission

REF NO: **P/33/12/**

LOCATION: 14 Churchill Walk
The Parade
Pagham

PROPOSAL: Dwelling house and parking space (Re-submission following P/2/12).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed two storey dwelling is a re-submission of a previously refused application P/2/12. The existing garage to the rear of No 14 is to be demolished and replaced with car parking on a gravel surface.
SITE AREA	Approximately 130 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is currently enclosed by close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	The site forms the side garden of No 14 Churchill Walk which is an end-of terrace two storey property which has a single garage to the rear with access from Ashcroft Way.
CHARACTER OF LOCALITY	Churchill Walk comprises two storey terraced dwellings with garages to rear, some of which have parking to the front. Detached bungalow to the north on a corner plot, western side has parade of shope with commercial uses and residential above. The immediate area has an open and spacious appearance.

RELEVANT SITE HISTORY

P/21/05/	Side extension to property to accommodate 2 new bedrooms, ensuite bathroom, new utility room and extended lounge.	Approve Conditionaly 21-04-2005
P/7/08/	Erection of one no two bedroom house adjacent to 14 Churchill Walk Pagham. Demolition of existing garage & replacement with 2 parking spaces	Refused 12-03-2008

P/94/08/	Erection of one no. 2 bed house, demolition of existing garage & replacement with 2 parking spaces (Re-submission following P/7/08).	Approve Conditionaly 23-09-2008
P/36/11/	1 no. 2 bed dwelling, parking & landscaping - amendment to planning approval P/94/08/	Refused 29-09-2011
P/2/12/	Erection of 1 no 2 bedroom house (amendment to planning approval P/94/08/).	Refused 09-03-2012

REPRESENTATIONS

Representations received:

Pagham Parish Council

Objection

Although members recognised that the applicant had reduced the size of this development they considered this proposal to be totally out of character for this estate. The fencing of the boundary robbed the development of any impression of the open space which dominates the rest of the estate. The development criteria for this area is addressed on Page 7 of the Pagham Village Design Statement: Bullet Point 1 - retain open plan aspects, avoiding front garden walls.
Bullet Point 2 - Preserve existing green space within the development.

1 Letter of Objection

If there was room to build No 15 Churchill Walk they would have done so when they were first built.

1 Letter of Support

The variation in roof form and height retains the sacale of the existing adjoining terrace provides a refreshing built form at the junction with The Causeway. Although the shape of the garden area may be different from the norm, it nevertheless provides adequate outdoor space with the added attraction that it faces south. The existing property also retains reasonable garden space. The proposed scheme by reason of its form and scale is innovative and would add interest to the pedestrian street scene.

Comments on Representations received:

Objection and support comments noted.

CONSULTATIONS

Engineering Services Manager

WSCC Local Development Divis.

Consultations responses received:

County Highway's

West Sussex County Council was consulted previously on highway matters for this location under planning application P/94/08 for a two bedroom dwelling to which no objections were raised. In highway terms this would be considered similar in terms of vehicular movements and therefore no overriding highway safety concerns would be raised on this basis.

Engineers

Applicant has given more room for soakaways in this application. The addition of water butts will reduce the loading on soakaways and can be used to water gardens saving water, but must

be ignored in any drainage calculations as often in the winter these butts are at full capacity. Soakaways will need to be designed to BRE365 or similar and must be supported by Infiltration testing and groundwater monitoring. The extent of groundwater monitoring should be discussed with the Engineers to ensure that it is adequate. It is suggested that a condition be applied regarding full details to be submitted for the surface water drainage scheme.

Comments on Consultation responses:

Highway comments noted.

Engineers comments noted
If approved, a condition will be imposed regarding surface water drainage.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
PDR Open Plan Condition
Public Sewer On Site

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV17	Affordable Housing

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX6	Interim Affordable Housing Policy
PDS	Pagham Parish Council's Village Design Statement by PaghamPC

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 a refused application P/2/12 for a new two storey dwelling attached to No 14 Churchill Walk. It was refused on the basis that the plot by reason of its awkward sized and uncharacteristically small plot would not accommodate a dwelling. The second reason for refusal was that no undertaking had been made for affordable housing provision.

The site lies within the defined built up area boundary where the principle of development is accepted. Paragraphs 56 and 57 of the National Planning Policy Framework specify good design that would achieve development that is better integrated with its surroundings.

The plot is triangular in shape and the previous dwelling was positioned on the northern side boundary adjacent to the walkway. The dwelling as submitted retains a 1.4m gap to the public footway and the appearance of the dwelling which has a link to No 14 has a variation in roof form which retains the ridge height of the adjoining terrace. It comprises living accommodation on the ground floor with two bedrooms and bathroom at first floor level. A new parking space will be provided to the front of No 14 for the occupiers of this property with a parking space to the rear of No 14 for the occupiers of the new dwelling. With regard to residential amenity there is a landing window at first floor level which would overlook the rear amenity area of the neighbouring property No 14. However, to avoid any potential overlooking to this property, if approved, a condition could be imposed that this be obscure glazed.

A unilateral undertaking has been submitted to overcome the Council's second reason for refusal on P/2/12 concerning the absence of a contribution to affordable housing.

The proposed development by reason of its prominent siting would not harmonise with the existing terrace of properties and would appear as an inncongrous addtion which would have a squeezed in appearance. It would appear out of character within the street scene and would erode the spacious character and appearance of the open plan character of the surrounding residential area.

In view of this the application is to be refused for the following reasons.

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 for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 a neutral impact has 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).

RECOMMENDATION

REFUSE

1 The proposal is sited within an inadequately sized plot which is uncharacteristically small to accommodate a dwelling and would appear as a crampred form of development in conflict with policy GEN7 of the Arun District Local Plan.

2 The proposal by reason of its design, siting and appearance would appear out of character within the street scene, harmful to the spacious character and appearance of the surrounding residential area and would be detrimental to visual amenity contrary to policy GEN7 of the Arun District Local Plan.