

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

REF NO: P/34/13/

LOCATION: 61 Harbour Road
Pagham

PROPOSAL: Small rear kitchen extension & porch. Extension to existing detached garage & conversion into hobby/gym room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed kitchen extension measures approximately 3.5m in width, depth of 2.2m with a height of 3m. The proposed extension to the outbuilding measures approximately 4.5m in width, depth of 1.5m with a height of 2.8m (overall dimensions 4.5m width, depth of 6.6m).
SITE AREA	Approximately 171 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front is open with soft landscaping, rear has ranch type wooden fencing + soft landscaping 1m-1.8m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached dwelling that has previously been extended on the rear with wooden verandah with translucent roof. Detached outbuilding in rear garden. Front has rendered walls painted cream, rear has mixture of wooden cladding and mauve weatherboarding, brown roof tiles and white window frames.
CHARACTER OF LOCALITY	Private road within an Area of Special Character, detached properties of various styles and designs.

RELEVANT SITE HISTORY

P/2/01/	Single storey side & rear extensions	Approve Conditionally 26-02-2001
P/57/69	Sunlounge	Permit'd Devel

PAA/140/12/	Providing a new sunroom link from the existing single storey house to the existing garage; garage to be converted into a snug room.	Refuse Pre App 10-01-2013
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REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection

1 Letter of Objection

Pagham Beach (Holdings) Ltd have objections to the proposed change of the existing garage. It would result in the loss of on-site parking/garaging which will result in roadside parking by residents and visitors. The applicant should be required to provide adequate on-site parking facilities and the scheme should be amended to reflect this. We request that, If approved, a condition should be imposed regarding that there shall be no storage of materials on the estate roads.

Comments on Representations received:

Objection comments noted

The existing garage has been used for storage purposes for many years. There is adequate parking provision to the front of the site that has been used by the occupants for the parking of vehicles for many years and is within their site boundary. As this is a private road the Council will not be able to impose a condition relating to the roadside parking or storage of materials on the estate roads during the course of construction as this is something the estate should be able to control.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Area of Special Character
Private Street
Protected Coastal Area
Art 4 Direction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA1	Areas of Special Character
	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

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

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.

The Development Plan consists of the Arun District Local Plan 2003 which was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 seeks to extend the existing kitchen on the rear of the dwelling and extend the existing detached garage to the rear of the property to form a hobbies and shower room.

The dwelling which was formerly a railway carriage has previously been extended to the rear and side. Part of the rear elevation has a covered verandah which comprises a porch and wc. The flat roof extension will be sited on the rear western side and will be approximately 3.5m in width, depth of 2.2m with a height of 3m. Due to its minimal size and height it is not considered that this would be out of character and appearance with the host dwelling and will be clad in weatherboarding which will match the existing cladding on the rear elevation. With regard to residential amenity the neighbouring property No 63 is sited approximately 1.5m away from the proposed extension. The Council as a consideration in determining planning applications have adopted a 45% degree rule

and in this instance the 45 degree line has been taken from the middle point of the kitchen window and the proposed extension complies with this rule. In view of this it is not considered that the extension would detrimentally harm the occupiers by way of harmful overshadowing or loss of outlook.

The detached outbuilding is sited approximately 3m from the rear of the site. It has not been used as a garage for many years and is currently used for storage purposes and the application seeks to extend this to create a hobbies/shower room. The existing outbuilding has a pitched roof and has pebbledash render and the proposed extension which will have a flat roof will be sited approximately 1m from the rear boundary with a width of 4.5m, depth of 6.6m and a height of 2.8m.

The proposed kitchen extension will not be readily visible to the rear in West Front Road as it will be partly obscured by the outbuilding. Many of the neighbouring properties have garages/outbuildings to the rear which front onto West Front Road. In view of its size and height it is not considered that the extended building would be of an obtrusive nature, nor would it harm the established character and appearance of the surrounding residential area or the Area of Special Character.

It is therefore recommended that the application be approved, subject to 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 for 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 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

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 1:1250, Block 1:500, Proposed Floor 1:100, Proposed Floor Garage/Dwelling, Proposed Elevations 1:100 Garage/Dwelling received on 25th April 2013.

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 and external walls of the garage extension shall match in colour and texture those of the existing buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19, AREA1

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.