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

REF NO: **P/36/13/**

LOCATION: 6 The Glade
Pagham

PROPOSAL: Front dormer extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to increase the size of an existing front dormer window from 2m to 3.5m projection from the roof plane and a 1m increase in height. This will provide a third bedroom 4.5m x 2.3m.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open plan frontage.
SITE CHARACTERISTICS	The property is a detached chalet, yellow brick with concrete tiled roof and existing dormer window to the front.
CHARACTER OF LOCALITY	The site is a close of detached chalets. The dwellings all have small dormer windows and the property adjacent at 5 The Glade has an exiting extended dormer similar to the proposed.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:
Awaited.

Others:
None.

Comments on Representations received:
None.

CONSULTATIONS

Consultations responses received:
None

Comments on Consultation responses:
None.

POLICY CONTEXT

Designation applicable to site:
Within the Built up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

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.

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 NPPF. 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

PRINCIPLE:
The site lies within the built up area boundary where development is acceptable in principle subject to normal development control criteria being satisfied, such as visual and residential amenity.

NATIONAL PLANNING POLICY FRAMEWORK:
Paragraph 17 of the core principle is a presumption in favour of sustainable development which is of high quality design and which provides a good standard of amenity for all existing and future occupants of land and buildings. It is considered that the proposal which will provide extra residential accommodation by providing a dormer which is in character with the existing surrounding development is in accordance with this policy.

POLICY DEV19 EXTENSIONS TO EXISTING RESIDENTIAL BUILDINGS:
This policy states that permission will be granted for extensions to existing residential buildings provided that the extension sympathetically relates to and is visually integrated with the existing building in siting, design, form, scale and materials and that it does not have an adverse overshadowing or overlooking effect on neighbours. For the reason given below, it is considered that the proposal is in accordance with this policy.

VISUAL AMENITY:
The extension to the existing front dormer is similar in size and design to that existing at the adjacent dwelling. It is considered that this will not therefore result in any significant loss of visual amenity.

RESIDENTIAL AMENITY:
The proposal does not overlook any other dwelling therefore it will not affect any residential amenity of neighbouring dwellings. The extension will provide sufficient room to provide a third bedroom.

SUMMARY:
The proposed extension to an existing dormer will not cause any harm either to the visual or residential amenity, therefore it is recommended that the application is approved with 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) 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 none of the following impacts (negative, Neutral or positive) 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).

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 drawings sheet 1 of 2 proposed and 2 of 2 existing.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 The materials and finishes of the external walls and roof of the dormer hereby permitted shall match in colour and texture those of the existing dormer.

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: GEN7, DEV19.

PAGHAM VILLAGE DESIGN STATEMENT

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.