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

REF NO: **P/37/16/HH**

LOCATION: 41 Sea Lane
Pagham

PROPOSAL: Front & rear extensions & detached garden room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application proposes the erection of ground floor extensions to the sides, rear and front of this dwelling, together with a new garden room/store in the rear garden. Alterations to the existing front balcony are also proposed.

To the south east side a covered way is proposed, this would extend from the front of the dwelling to the rear and would have a lean to appearance with glazed sloping roof and would replace an existing lean to covered way along part of the side of the dwelling the side of the dwelling.

Development on the north west side would be to the front and rear and would extend an existing side element slightly forwards of the existing front lounge wall of the dwelling by 2.3m and the lounge would be extended forward by the same distance. The existing flat roofed appearance would be retained as would the existing front balcony above. To the rear, a single storey flat roofed extension with roof lantern of between 4m and 7m would be added. The extensions would provide for additional living accommodation and a total of 5 bedrooms.

The ground floor extensions would be vertically clad in a contrasting material to the existing white rendered finish of the dwelling and have a wooden appearance externally. The existing front balcony would be provided with balustrading and side privacy screens.

A flat roofed garden room is proposed close to

	the rear boundary of the dwelling. this would be set at least 2m from boundaries and have a flat roof, with an appearance similar to the proposed extension.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Existing boundary treatment is a mixture of fencing, plating and some brick walling.
SITE CHARACTERISTICS	The site is occupied by a chalet type bungalow with a dormer on the south east side and front balcony above an existing flat roofed front element. The existing dwelling occupies the full width of the plot since it has been extended north westwards and there is a lean to on the south east side. It is rendered white at the front and has mixed materials at the rear, cream render to rear gable, red brick to rear extension.
CHARACTER OF LOCALITY	A residential area of mixed house types, materials and design. many of these dwellings have front balconies and have been extended.

RELEVANT SITE HISTORY

P/50/08/	Rear single storey conservatory, covered way and garden shed.	ApproveConditionally 09-05-2008
P/27/50	Additions	ApproveConditionally 20-09-1950

Noted.

REPRESENTATIONS

Representations received:

Pagham Parish Council

Pagham Parish council objects and advises:

It was resolved on a majority vote to object to the proposed development. The development was considered contrary to:

Saved Policy Gen 7 for the following reasons:
- did not demonstrate a high quality design and layout;
- not in keeping with the surrounding area;
- proposals were an overdevelopment of the land - development up to the property boundary.

Pagham Village Design Statement
- The property falls within the Southern Pagham area where development must ensure that frontage treatment and streetscape materials should be consistent.

No representations received from nearby occupiers.

Comments on Representations received:

Noted and addressed in the Conclusions section of this report.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):		SD SP2 Built-Up Area Boundary D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) 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

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from

the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton.

Pagham Parish Council has publicised its Neighbourhood Plan for Pre-Submission purposes. This process was on-going until 23 Oct 2015 and has now ended. The Plan has not been Examined and its policies carry little weight at this time.

Relevant policy in the Emerging Neighbourhood Plan is as follows:

Policy 3: Housing Design
The Neighbourhood Plan requires the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, to reflect and enhance the architectural and historic character and scale of the surrounding buildings and landscape, as defined in the adopted Pagham Village Design Statement (VDS).

Planning applications must include a flood risk assessment to demonstrate how a scheme will not increase pluvial or fluvial flood risk on any adjoining land, to the satisfaction of the local planning authority and the Environment Agency.

Whilst the above policy carries limited weight, the proposal is generally consistent with this policy.

It should also be noted that this site is not located within an area where there is any known flood risk and that this is an extension for which existing mains drainage is available.

The Pagham Village Design Statement (PVDS) 2007 was Adopted for the purposes of determining planning applications in January 2009 and is a material planning consideration.

The site is within Area 3, Southern Pagham in the PVDS. The Statement includes the following

Development Criteria:

- Exercise care to prevent loss of privacy in any extension or new build by virtue of existing comparatively high density linked-dwelling development

- Significantly obtrusive enclosure of frontages should not be permitted

- Avoid elements of construction, hard surfacing or landscaping which might inhibit free drainage within identified flood risk zones

- Frontage treatment and streetscape materials should be consistent

- Where roadside pockets of green space are in evidence, secure their preservation from loss

- Exercise strict control over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings

The proposal is considered to be generally consistent with the PVDS. Although it will result in a dwelling of different and changed appearance and is not therefore strictly in accord with the criteria that frontage treatment and streetscape materials should be consistent, the proposal is considered to be acceptable for the reasons set out in the Conclusions section of this report.

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 is within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which the application will be assessed are contained within the Arun District Local Plan which in this case are considered to be policies GEN7 and DEV19 of the Arun District Local Plan, 2003 and policies D DM1, D DM4 and D SP1 in the Emerging Arun Local Plan 2011-2031 (Publication Version, October 2014) which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY
This application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling. The extensions and materials proposed at ground floor contrast with the existing materials which will remain above as render, although these materials unify the ground floor appearance of the dwelling. The dwelling is set back from the road and as such visual impact is mitigated to some degree. Given that there are a mix of designs and materials in the immediate locality it would be difficult to argue that the changed appearance of the dwelling would be incongruous or visually intrusive. It is therefore considered that the proposed design is acceptable.

The proposed development does extend across the plot, however the existing dwelling already extends across the plot and therefore what is proposed is not considered to be unacceptable in terms of street scene generally. The existing covered way and rear conservatory at this dwelling which extend the dwelling to the south east boundary were permitted under P/50/08, extension up to this boundary has therefore already been established and permitted as a matter of principal. Extension up to the north west boundary has already been established by the existing extension on that side.

Were it not for the other development in this application, the rear north west side extension would be permitted development since it is not more than 4m in depth and planning permission would not be required. The front extension requires planning permission.

It is considered that the proposed development introduces a more modern design theme to this dwelling which ought not to be considered unacceptable, given that it has very limited impact.

The proposed garden room would have very little visual impact given its limited height, existing boundary screen fencing and distance from nearby dwellings development.

The proposal is considered to be generally acceptable and does not result in detrimental impacts on the outlook of adjoining occupiers. As such it considered to be acceptable in design and visual amenity terms.

RESIDENTIAL AMENITY
The proposal does not result in significant or unduly harmful light or privacy loss to adjoining dwellings. The extension has little or no impact on residential amenity. The proposed garden room would have very little amenity impact given its limited height, existing boundary screen fencing and distance from nearby dwellings development.

PARKING
External parking at the site will remain available for 3 to 4 cars and is more than adequate to meet the required standard.

It is therefore recommended that planning permission be granted subject to the following conditions.

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

In assessing this proposal the Neutral 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.

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 drawings:

Drawing Number 1610/P/01 - Block & Location Plans - Dated April 2016
Drawing Number 1610/P/04/A - Proposed Plans - Dated May 2016
Drawing Number 1610/P/05/A - Proposed South & East Elevations - Dated May 2016
Drawing Number 1610/P/06/A - Proposed North & West Elevations - Dated May 2016
Drawing Number 1610/P/07/A - Revised Proposed Perspectives - Dated May 2016
Drawing Number 1610/P/09 - Proposed Garden Room - Dated April 2016
Drawing Number 1610/P/08 - Perspective Views North - Dated April 2016

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan 2003 and policies D DM1, D DM4 and D SP1 in the Arun Local Plan 2011-2031, Publication Version.

3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed development has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, character and appearance by endeavouring to achieve a building of visual quality in accordance with policy GEN7 and Dev19 of the Arun District Local Plan and policies
D DM1, D DM4 and D SP1 in the Arun Local Plan 2011-2031, Publication Version.

4 No side windows shall be constructed in the north west and south east side elevations of the extensions hereby permitted which adjoin the side boundaries with nos. 39 & 43 Sea Lane without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan and policies D DM1 and D DM4 in the Arun Local Plan 2011-2031, Publication Version.

5 The balcony which forms a part of the development hereby permitted shall not be brought into use prior to the submission to and approval by the Local Planning Authority of details of side privacy screens and the details so approved shall be used in the construction of the balcony and the side privacy screens shall thereafter be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan and policies D DM1 and D DM4 in the Arun Local Plan 2011-2031, Publication Version.

6 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.