

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

REF NO: P/38/22/HH

LOCATION: 12 Jubilee Gardens
Pagham
PO21 4PU

PROPOSAL: Single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey side extension.
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RELEVANT SITE HISTORY

PAA/1/22/	Single story side extension.	Approve Pre App 03-03-22
P/7/16/HH	Conversion of car barn to provide dining room.	ApproveConditionally 15-03-16
PAA/128/15/	Conversion of car barn to a room connected to the kitchen, window to front and rear.	Approve Pre App 10-11-15

REPRESENTATIONS

Pagham Parish Council - No Objection.

1 No. Objection received from nearby occupiers:

- The extension is huge, appearing to be larger than the entire original ground floor of the building, and is out of scale and overbearing. It is wider than the original building which will look out of character from all aspects.
- It would loom over their garden and shut out light.
- The flat roof is not in keeping with other properties in Jubilee Gardens or Kings Drive.
- The privacy and quiet enjoyment of their life would be grossly invaded if the proposed extension is granted. The new bedroom window will be closer to their property and look directly into their kitchen, lounge and dining room.
- They believe it would negatively impact the value and saleability of their property.

1 No. representation from applicant:

- Reassurance that the proposal will not overlook the neighbours property as there are trees on the boundary that are higher than the planned build.
- The proposed built site is by no means impacting the neighbours garden space, patio or overlooking their house. The applicants certainly won't be able to see into their property at all.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Area Boundary
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest
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. The property is in Area 4 (Eastern Pagham a).

DESIGN AND VISUAL AMENITY

The proposal is to the side of the property, and will be visible from wider area.

The proposal will replace a smaller side extension. It will be set back from the front elevation by around 3.17m, retaining the same distance as the existing extension, but will protrude further to the side and rear, with a depth of 5.85m and width of 7.05m, to line up with the rear elevation of the dwelling. The extension will have a false pitch flat roof, pitched at the front and matching the angle of the main roof, which will restrict the visibility of the flat roof behind. This will help the extension to integrate more sympathetically with the existing and reduce the impact of the proposal on the visual appearance and character of the property. Concern has been raised regarding the scale of the proposal. The extension

itself is quite wide, measuring approximately 0.5m wider than the existing house. This causes a slight imbalance, but given its height and location, this is not unacceptable, and will not be unduly overbearing on the property.

Being at the side, the proposal will be visible from the street scene. The property itself is situated in an area comprised primarily of two storey semi-detached and terraced two storey properties, all of similar style and design. The extension is relatively in keeping with the character of the property, and in turn the locality. As it is at the end of a row of properties, and set back from the principal elevation, the proposal will not have a significant impact on the composition and appearance of the street, and as such is acceptable.

The proposal appears subservient to the design of the host and is well integrated. It will use materials matching that of the existing, resulting in minimal impact on the appearance and amenity of the dwelling. This is in accord with Pagham Design Statement.

The Arun Design Guide states that side extensions should avoid creating a terracing effect by setting side extensions back from the front of the house, respond to existing building design in terms of roof pitch, and use complementary and integrated materials and elevational design. The proposal is in accord with these criteria. The guide states that the scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable. The floorspace proposed is approximately 41m², with the existing floorspace measuring 58m². As such, this is greater than 50%, and is not in accord with the Design Guide. However, considering the proposals height and location, this is not detrimentally harmful, and is not sufficient grounds for refusal as the impact on visual amenity is minimal, and the extension does not unduly dominate the host.

The development will not have adverse impact on visual amenity, and is in accord with D DM1 and D DM4 of the Arun Local Plan, Pagham Design Statement, and in part the Arun Design Guide.

RESIDENTIAL AMENITY

The proposal will be single storey, and approximately 2.92m high, measuring 3.66m at the top of the pitched part of the roof, and 2.55m at the eaves. It retains a distance of 9m to the rear, 1.3m to the side, and 3m to the front boundaries, and will result in no overbearing or overshadowing of properties to the north.

Concern has been raised regarding the impact of the proposal on the residential amenity of 40 Kings Drive to the south. The proposal is quite close to this boundary, being 1.3m away, but is separated by a 1.8m fence and a number of trees. This boundary treatment is higher than the extension, and will restrict the visibility of and from the proposal, retaining neighbouring privacy and reducing any potential overbearing or overshadowing. This is subject to the preservation of these trees however, and if removed, the proposal would pose some risk of overshadowing and overbearing. D DM4 (d) of the Local Plan states that in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level should not come to within a minimum of 1m of the side boundary.

The proposal is in accord with D DM4, and although it will be visible from the No.40, given its location to the end of the neighbours rear garden, will not result in unacceptable harm. The flat roof of the proposal would sit around 1m above the neighbouring fence line, and as a result any overshadowing of the neighbours garden posed by the extension would be minimal. It retains around 20m from the rear elevation of No.40, meaning any direct impact on the neighbouring property itself is limited, especially in terms of overbearing. There will be some impact to residential amenity caused by the extension, but this is not of a significant enough level to warrant refusal.

The proposal features windows to the front and side, and windows and door to the rear. The features to the side and rear do not directly overlook any neighbouring properties, and will have no impact on residential amenity or privacy. The window to the front will overlook the street scene, and will have some visibility of No.40, as it faces towards this property. However, given its scale and location on the ground floor, and distance from No.40, this visibility will be limited, and is not of detrimental harm to neighbouring privacy or 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 is in accord with this.

The development does not pose an adverse risk of harm to residential amenity, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Design Guide.

TREES

There are a number of trees situated on the neighbouring boundary to the south. These trees are not covered by a TPO, nor are they in a conservation area, and are unlikely to have much impact on the construction of the extension, however care should be taken to ensure there will be no harm to the trees or the proposal. These trees also reduce impact of the proposal on residential amenity, and as such should be preserved.

PARKING

The extension retains the same front location as the existing extension. This is acceptable in terms of parking, as although one space was lost prior to the construction of the previous extension, no further space is lost to the proposal. This allows still for one parking space on the driveway, and potential for tandem parking in front of the house, if needed. There will be no overspill onto the roads, and as such will be no impact on highways.

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 and Block Plan
 - Proposed Site Plan PR.SP.01
 - Proposed Elevations PR.EL.01
 - Proposed Floor Plan PR.FP.01
 - Proposed Section SE.AA.01
 - Section B-B RS.SP.01
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.