

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

REF NO: P/45/20/HH

LOCATION: 9 Manor Park
Pagham
PO21 3JS

PROPOSAL: Replacement of outbuilding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

P/50/20/HH Alterations and extensions to dwelling alternative proposals to approval P/97/19/HH.

P/97/19/HH	Alterations and extensions to dwelling- including single storey front extension and new roof.	ApproveConditionally 02-12-19
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REPRESENTATIONS

Objection - new structure is significantly different and could be used for commercial purposes and possibly even residential.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
2km buffer for site of special scientific interest
Pagham harbour zone B
Within the built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
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
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CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy is D DM1 of the Arun Local Plan.

Policy 1 of the emerging Pagham Neighbourhood Plan is relevant to the proposal and the proposal complies with this.

DESIGN AND VISUAL AMENITY

Due to its prominent nature and location, the outbuilding will alter the existing appearance and layout of the residential unit in which it is sited. Due to similar development in the area, the principle of building in the front gardens has already been established as acceptable in some cases. The development is not an alien feature in the street scene, especially given the proposed materials, which allow the development to appear well integrated and sympathetic in design with regard to the host dwelling. It is noted that there will be an increase to the height of the proposal of 1.7m however, the impact on the street scene is not considered to be to the detriment of the application. This is helped by the siting of the development being 16m, from the boundary to the west of the site, it also maintains 14.5m to the southern boundary. This is considered to be a acceptable distance to ensure the outbuilding does not have a detrimental impact on the street scene.

Therefore, the proposal is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to have any significant overshadowing or overbearing impact as a result of both the aspect of the development site, and the boundary treatment present at the site. The development features windows on its South, Eastern and Western elevations that face into the site, however, as the proposal is single storey, the available views would be no different from those that are currently available from the front garden.

Whilst there will be an increase in the height of the outbuilding the change is not considered to have a demonstrable impact on the neighbouring dwellings. The property to the North will have more views available of the outbuilding but these are not considered to be to a harmful extent such that would lead to the refusal of the application.

The development is not considered to give rise to any significant change in loss of light to neighbouring dwellings. There is the potential for the outbuildings use to be changed and it is noted that this is the concern on the Parish Council, as such there is a condition placed onto the application in order to ensure the use does not change.

The proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan in terms of neighbouring residential amenity.

PARKING

The proposal is considered to meet the current prescribed parking standards.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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

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 plan:

- Proposed Plan 2A

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 The outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 9 Manor Park, Pagham and shall not be used as a separate unit of accommodation or as a commercial unit.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 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.