

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

REF NO: P/47/13/

LOCATION: 46 Lagoon Road
Pagham

PROPOSAL: Single storey extension with new tiled roof over entire property (Resubmission following P/16/13/)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed front porch has a width of 6.4m, depth of 1.2m with a height of 4.35m in height. The proposed side and rear extension has a maximum width of 11.5m, maximum depth of 1.5m and a maximum height of 5.5m. The proposed new tiled roof over the existing dwelling and proposed extensions has a pitch of 22.5 degrees with a maximum height of 5.5m.
SITE AREA	Approximately 476 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposal.
BOUNDARY TREATMENT	Front is enclosed by a make shift string fence, east side boundary has 1m fence, west side boundary is open and undefined.
SITE CHARACTERISTICS	Former railway carriage, single storey which has been extended on the rear. Steps lead up to front entrance. Dwelling is dilapidated being to the point of being uninhabitable. Detached garage to rear on western side.
CHARACTER OF LOCALITY	Area of Special Character. Residential comprising detached properties of various styles and designs, some former railway carriages many of which have been extended or replaced. Vacant site to the west, Pagham Lagoon to the rear of site. Nos 44 and 46 are former railway carriages.

RELEVANT SITE HISTORY

P/133/03/	Demolition of existing sub-standard dwelling and replacement with new and detached garage.	Approve Conditionally 05-05-2004
P/16/13/	Renovation and extension of existing rear of railway carriage house; replacement of existing polycarbonate twin wall roof lights; addition of sliding doors, replacement of kitchen window and additional roof lights	Approve Conditionally 11-04-2013
P/12/52	Bathroom addition	Permit'd Devel 02-04-1952

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection.

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning

Environment Agency

Natural England

Consultations responses received:

Southern Water

Our initial investigations indicate that there are no public surface water sewers in the immediate vicinity to serve this development. Alternative means of draining surface water from this development is required. This should not involve disposal to a public foul sewer.

Southern Water's current sewerage records do not show any public sewers to be crossing the above site. However, due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

We request that should this application receive planning approval an informative is attached to the consent requesting that a formal application for any new connection to the public sewer be made by the applicant or developer.

Environment Agency

The application falls within the scope of our Flood Risk Standing Advice (FRSA). The Environment Agency recommends that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Additional guidance can be found in the Environment Agency Flood Line Publication 'Damage Limitation'. Reference should also be made to the Department for Communities and Local Government publication 'Preparing for Floods'.

Natural England

The proposal, in undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Pagham Harbour Ramsar has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

SSSI

This application is in close proximity to the Pagham Harbour Site of Special Scientific Interest. However, given the nature and scale of this proposal, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that the SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Area of Special Character
Private Street
Protected Coastal Area
Article 4 Direction
PD Restriction

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
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to residential and visual amenity.

report

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.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process

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 is a revision to the previous approval P/16/13 for the renovation and single storey extension on the rear. The proposal has now increased the footprint of the dwelling with the provision of a side extension, rear extension and front extension.

The majority of properties within the Pagham Beach Estate which is an Area of Special Character are detached and have roof pitches below 30 degrees. These properties many of which were former holiday chalets and some railway carriages have been extended. Nos 44 and 46 are former railway carriages and at the time of the officer's visit No 46 was vacant.

The proposed side extension is to be sited on the south west side and will increase the width of the existing dwelling by 1.5m. It will link up with the rear extension that will be approximately 11.4m in width with a maximum depth of 10.9m. The existing circular entrance which is accessed via steps is to be removed and replaced by a single storey extension that will create a new entrance and extend the existing bedroom. It will measure approximately 6.4m in width, depth of

1.2m with a maximum height of 4.4m and will be accessed by three steps.

The existing roof which is flat is to be replaced by a pitched roof 22.5 degrees and this will cover the whole of the property and will increase the overall height from 3.5m to 5.5m. The existing elevations which are currently pebbledash will be clad in grey weatherboarding which will improve the character and appearance of the building and is in keeping with a beach location with a black tiled roof.

It is noted that the existing footprint will be increased but it is not considered that this is an overdevelopment of the site. With regard to residential amenity there are no properties to the south west. The immediate bungalow to the north east No 44 has a pitched roof and is sited approximately 2.5m away. It is not considered that the increase in height and its design which slopes away from this property and the front and rear extensions would detrimentally harm the occupiers by way of harmful overshadowing or loss of outlook. There are two small windows on the north east side of the proposal, one serves a wc which will be obscure glazed and the other a kitchen. In view of their siting it is not considered that these would create any unacceptable overlooking.

The proposal is considered to be a vast improvement on the existing structure and will not materially change the character of the Area of Special Character or surrounding area.

It is therefore recommended that the application be approved subject to conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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: Location/Block/Proposed Floor Sheet No 1a of 3, Proposed Elevations Sheet No 2 of 3, Proposed Roof Plan Sheet 3 of 3 received on 10th June 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 windows on the north east side elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 INFORMATIVE: Flood proofing of the proposed development shall be incorporated, where necessary, in accordance with flood resilience and resistance techniques to be included in accordance with 'Preparing for floods' (ODPM 2003)

- 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.