

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

REF NO: P/50/13/

LOCATION: Meadowsweet
Summer Lane
Pagham

PROPOSAL: Ground floor kitchen and lounge extension with 1st floor bedroom extensions over.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed side extension on the eastern side measures approximately 2.2m in width, depth of 7.5m with a maximum height of 6.8m. The proposed single storey extension with mansard roof on the western side measures approximately 2.8m in width, 7.3m in depth with a maximum height of 3.4m. The first floor element to replace the existing balcony area measures approximately 2.8m in width, depth of 2.4m with a flat roof to a maximum height of 5.5m.
SITE AREA	Approximately 675 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall with paved driveway, rear has wall + fencing 2m in height, east side boundary has close boarded fencing + hedging approximately 2m in height, west side boundary is partly open then wall with wooden inserts 1.8m in height.
SITE CHARACTERISTICS	Detached two storey dwelling with front dormers, conservatory on rear. Property has previously been extended on the western side with two storey extension and balcony. The property has reddish/brown brickwork on the front, rear has smooth render painted cream on the upper level with brickwork below, sides have red tile hanging with front dormers which are tile hung, grey tiled roof with white window frames and a brown front door.
CHARACTER OF LOCALITY	Rural location with fields to front and western side. Properties in Summer Lane are a mixture of bungalows and detached dwellings.

RELEVANT SITE HISTORY

P/26/99/	Ground floor lounge, study and entrance lobby with additional first floor en-suite bedroom and balcony together with new detached garage.	ApproveConditionally 03-06-1999
P/26/02/	New detached double garage	ApproveConditionally 26-04-2002
P/31/54/B	Garage	ApproveConditionally 18-06-1956
P/24/54/C	House and garage	ApproveConditionally 10-06-1965
P/24/54/E	Revised elevations to new house	Approve 12-05-1966
P/35/70	Use of dwelling without restriction condition	ApproveConditionally 29-04-1970

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Engineers (Coastal Protection)

Consultations responses received:

Engineers

Awaited

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Private Street

Area of Special Control for Advertisements

Protected Coastal Area

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [DEV19](#)
[GEN3](#)
[GEN7](#)

Extensions to existing residential buildings
Protection of the Countryside
The Form of New Development

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 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

Meadowsweet is a detached property located at the end of a row of residential development in open countryside. The property has previously been extended with a two storey extension on the western side of the dwelling. The proposal is for a kitchen and breakfast room extension with bedroom above on the east side and a two storey extension on the western side which will extend the ground floor accommodation and create a bedroom at first floor level.

The proposed side extension will be sited to the boundary and will be approximately 2.2m in width, depth of 7.5m with a height of 6.8m which is the same height as the existing pitched roof. It will be set in line with the front of the dwelling with a high level window at first floor level and the existing window on the side elevation will be re-used in the new extension in the same position.

The existing two storey extension on the western side is set back from the front elevation of the dwelling by approximately 5.8m and has a balcony at first floor level. The proposal is to create a single storey extension with a mansard tiled roof on the ground floor which will be in line with the front of the dwelling and this will extend to the rear to link up with the existing two storey extension. The existing balcony area at first floor level is to be removed and a first floor extension created on the footprint of the balcony which will create a dressing room for the master bedroom.

The proposal extensions are considered to be of a size and height that are considered to visually integrate with the host dwelling.

With regard to residential amenity there are no residential properties immediately to the front and rear with open countryside to the west. The neighbouring property Summerhill House which is a detached dwelling is sited approximately 7m away. This property on the western side elevation has a landing window which is sited in the middle of the property and a one and a half storey conservatory which is sited towards the rear of the dwelling. It is not considered that the high level window would create any unacceptable overlooking and with hedging along this side boundary of approximately 3m it is not considered that the extension would create harmful overshadowing or loss of outlook to recommend refusal.

The extensions are not considered to be out of keeping with the plot, nor would they harm the rural aspect of the area or detract from the character and appearance of neighbouring properties which are differing in styles and designs.

It is therefore recommended to approve the application, 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 1:1250/Block 1:250 Drg No 4924-1 Rev B received on 14th August 2013, Proposed Ground Floor 1:50 Drg No 4924-5, Proposed First Floor 1:50 Drg No 4924-6, Proposed Elevations 1:100 Drg No 4924-7 received on 5th July 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 materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the existing building..

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in the east side elevation of the extension hereby permitted 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.

- 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.