

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

REF NO: P/51/17/HH

LOCATION: 11 Abbotsbury
Pagham

PROPOSAL: Front & side single storey extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

Although described as front and side extensions given the position of the house on a corner plot the proposed scheme could also be interpreted as front, side and rear extensions. However, the plans are clear to the proposed development and the application has been determined accordingly.

The existing single storey side/ rear extension will be removed

The front extension measures 2.8m wide, 1.5m deep and 3.6m high (max). The side/ rear extension measures approximately 9.5m wide, 3.9m deep and 4m high (max).

Materials to match the existing property.

SITE AREA

N/a

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front and side boundaries are open plan.

SITE CHARACTERISTICS

The property comprises a detached single storey dwelling constructed of brick and tile. It is set on a corner plot at the junction of Abbotsbury and Golden Acre. The rear garden is screened by a 2m high brick wall. The property has a single storey side/ rear flat roof extension and single storey garage to the rear accessed onto Golden Acre.

CHARACTER OF LOCALITY

Residential comprising an estate road with

properties of similar style and scale.

RELEVANT SITE HISTORY

P/86/15/PL	1 No. 2 bedroom semi-detached bungalow	Refused 06-11-2015
P/77/78	Extension for utility room	ApproveConditionally 19-07-1978
P/188/78	Demolition of wall and erection of 1.8m brick wall to enclose part of front garden into back garden	ApproveConditionally 04-04-1979

No relevant planning history.

REPRESENTATIONS

Representations received:

Pagham Parish Council

Pagham Parish Council has no objection.

No response to public consultation.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary;;
Pagham Harbour Zone B; and
PD Restriction.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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: Aldingbourne;

Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

The draft Pagham Neighbourhood Plan Regulation 14 'pre-submission consultation & publicity' stage was undertaken between 02/10/15 and 13/11/15. It is therefore a material planning consideration.

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).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 site is located within the built up area boundary where the residential road comprises properties of similar style. The principle of extensions is therefore acceptable.

The proposed front extension provides a porch. It is considered that the design and size of the proposed extension is subservient to the main house. It is sited 8.5m from the front boundary of the house. In addition, given the character of the area it is not considered that the proposed development would be harmful to the wider character or the host property.

The proposed extension would be sited to the side/rear of the property, it would be visible from the road. The proposed extension will still appear as subordinate to the main house and is set back 7.75m from the rear of footpath at Golden Acre, 5.5m from the side boundary with No.15

Abbotsbury and 4.75m from the rear garage

Given the size and siting of the extensions and the fact that materials will match the existing property It is considered that the proposed extension is in keeping with the character and appearance of the host property and is not considered unduly dominant on the property and as such is not considered harmful to character of the wider area

With regard to impact upon the amenity of adjoining occupiers at No.15 Abbotsbury the proposed extensions are sited 7m and 8.5m from the side boundary with No.15. Although there is a door in the side elevation of the rear extension it is considered that given the size and separation distance of the proposed extension it will not lead to unacceptable overlooking. In addition, the extensions will not lead to a loss of outlook or be unduly overbearing on the amenity of the adjoining occupiers at No.15. With regard to No.2 Golden Acre the front extension will have no impact and the side/rear extension is effectively screened by the existing garage and as such there is no adverse impact on the amenity of the occupiers of this property.

In addition, to adopted policies the draft Pagham Neighbourhood Plan Policy 3 Housing Design seeks to ensure new development reflect and enhance the architectural and historic character and scale of the surrounding buildings and landscape. It is considered that the proposed scheme complies with this requirement.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers. As such it is considered that the proposed development complies with adopted development plan policies and policy 3 of the Draft Pagham Neighbourhood Plan. The proposed development is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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.

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 plan, block plan, proposed plans & proposed elevations.

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 extension 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 **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.