

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

REF NO: P/51/26/HH

LOCATION: 50 East Front Road
Pagham
PO21 4ST

PROPOSAL: Erection of a single-storey rear extension, replacement of the existing roof resulting in an increase in ridge height, and erection of a new timber frame structure around the existing railway carriage and external cladding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

P/89/17/HH	Retention of openings & cladding to detached garage	ApproveConditionally 13-10-17
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REPRESENTATIONS

Pagham Parish Council- No objection.

1 Letter of objection received summarized below:

- Proposal affects a wall supporting the Pagham Harbour SSSI foreshore.
- Natural England should be consulted.
- Risk of disturbance to the SSSI during construction.
- Conditions should prevent foreshore encroachment and protect the beach.
- Foreshore owner raises concern over damage and potential liability.

Comments noted and Natural England have been consulted. However, it would not be reasonable or enforceable to impose a planning condition specifically to protect the beach. Disturbance to an SSSI is a matter controlled under separate legislation and may constitute a criminal offence, as such, it would not be appropriately or effectively safeguarded through the planning process. Furthermore, the red line outlined on the submitted Location Plan indicates that all proposed works would be conducted inside the application site, and no works overhanging the beach are proposed. An informative has been added to this planning permission to advise the applicant that no works should be undertaken outside of the application site and the beach should be safeguarded.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers (Coastal Protection) - No response received.

Natural England - No response received.

POLICY CONTEXT

Built-Up Area Boundary.

Flood Zones 2 and 3 (and future climate change 3a).

Area of Character.

Pagham Interim Development Framework.

Pagham Harbour Zone A.

Site of Special Scientific Interest.

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)
HERDM4	HER DM4 Areas of Character
WDM2	W DM2 Flood Risk
WDM4	W DM4 Coastal Protection

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site comprises a detached bungalow located at 50 East Front Road, Pagham.

The proposal seeks planning permission for the construction of a rear extension incorporating the existing retaining wall, together with alterations to the roof including changes to materials, a minor increase in ridge height, and the installation of additional insulation finished with external cladding.

The property is situated in the central section of East Front Road and benefits from direct access to Pagham beach. Due to its siting to the rear, the proposed extension would not be visible from East Front Road. However, the proposed alterations to external materials would be visible from both the street scene and Pagham Beach.

The proposed rear extension would measure approximately 3.8m in width and 1.6m in depth, infilling the space between the existing rear elevation and the retaining wall along the southern boundary adjoining the beach. It would feature a pitched roof with a maximum height of approximately 2.7m and an eaves height of 2m.

The depth of the extension would comply with the guidelines set out in the Arun Design Guide (ADG), which recommends that rear extensions should project up to 3.3m. It is noted that the extension would

be constructed on an existing area of hardstanding and that other nearby dwellings have similar projections. The scale, massing, and siting of the extension would be visually subservient to the host dwelling. The design is well integrated with the existing building and would be finished in newly proposed materials that match or closely resemble those of the host dwelling, in accordance with Arun Local Plan (ALP) policy D DM4.

The proposal also includes the replacement of the existing roof with a timber-framed zinc roof, together with the installation of horizontal red western cedar cladding on all elevations and vertical cladding within the gable. As a result of the additional insulation, the ridge height would increase marginally from approximately 3.2m to 3.3m. The surrounding street scene is varied in character, where existing properties feature a mix of cladding, render and various roof types and heights. Furthermore, the existing garage already incorporates cladding. In this context, the minor increase in height and the use of contemporary materials would not appear incongruous and would be acceptable.

Fenestration would include a large window at the rear (south) elevation, flanked by two windows on the side elevations (east and west). The windows would be of a similar style to the existing ones and would be acceptable.

Overall, the proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with ALP policies D DM1 and D DM4 and the ADG.

RESIDENTIAL AMENITY

The proposed rear extension would be set in approximately 2.9m from the eastern (side) boundary and 9.5m from the western (side), maintaining adequate separation from the adjacent dwellings. As such, the proposed extension would not result in overbearing or overshadowing impacts to neighbouring properties.

Windows are proposed on both side elevations. Given the separation distances and the ground floor positioning of these windows, they would not result in unacceptable overlooking or loss of privacy. The proposed window on the southern elevation would face Pagham beach, where there are no neighbouring residential properties.

The proposed development would not result in harm to neighbouring amenity, in accordance with ALP policies D DM1 and D DM4.

AREA OF CHARACTER

The application site is located within the Pagham Beach Estate, which is identified as an Area of Character and considered a non-designated heritage asset under the National Planning Policy Framework (NPPF). Developments within such areas should aim to preserve and enhance the special character and significance of the non-designated heritage asset.

Policy HER DM4 sets out criteria for which proposals within Areas of Character must meet to be acceptable. These include the retention of buildings and other features that preserve and enhance the special character of these areas.

Para 202 of the NPPF states that for proposals within Areas of Character, 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Para 207 of the NPPF (2024) requires applicants to describe the significance of heritage assets affected by development. The applicant has submitted a Heritage statement, which adequately addresses this requirement.

The proposed works would be appropriate to their context and would not harm the character or visual appearance of the property or the wider Area of Character. They retain the character of the area and preserve the significance of the asset. The proposal would not result in any harm to the non-designated heritage asset and as such would be acceptable in accordance with Arun Local Plan policy HER DM4 and the NPPF.

FLOOD RISK

The site is located within Flood Zone 3, including the future Flood Zone 3a (to 2111). The application is supported by a Flood Risk Assessment (FRA) prepared in accordance with the NPPF.

The FRA concludes that the site is being at high risk of flooding, although no recorded incidents of flooding at the property have been identified. The proposed development would be limited in scale and would not significantly increase flood risk. It is also noted that no additional doorways are proposed, thereby not introducing new routes for flood water to enter the dwelling.

In the absence of formal consultation responses from ADC Coastal Protection, the Local Planning Authority (LPA) is satisfied that the recommendations set out within the FRA are acceptable. The proposed extension would be small in scale and would be built over an existing area of hardstanding, therefore the proposal would not result in an increased flood risk to the surrounding area or the Coastal Change Management Area (CCMA) and is therefore in accordance with ALP policies W DM2 and W DM4.

COASTAL PROTECTION

The application site is located within the Pagham Beach Estate, where the Pagham Interim Development Framework applies. Under this framework, the proposed extension would fall within Category 3 (All redevelopment (new structure)). The framework advises that finished floor levels should be set at least 300mm above predicted flood levels in order to comply with the requirements for Category 3 development.

It is acknowledged that this requirement would not be met in this instance due to architectural constraints and the limited internal ceiling heights of the existing dwelling. The submitted FRA identifies that, in lieu of raising finished floor levels, the most appropriate mitigation would be the incorporation of flood resilience measures. These include full waterproofing, robust wood fixings and the installation of plasterboard in horizontal sheets, alongside further recommended measures to minimise potential flood damage.

Whilst the proposal would not strictly accord with the guidance in respect of finished floor levels, this deviation would not warrant refusal of the application. Subject to the implementation of the recommended resilience measures, the approach would be acceptable in this instance. Notwithstanding this, it is reasonable and necessary to impose a condition requiring that the finished floor levels are set no lower than the existing levels, in order to ensure that flood risk is not further exacerbated.

SUMMARY

The development is in accordance with relevant development plan policies and 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

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 Plan.
- Block Plan.
- Proposed Plans and Elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.
- 3 The floor levels within the rear extension hereby permitted shall be set no lower than than the existing floor levels within the host dwelling.

Reason: To minimise flood risk in accordance with Arun Local Plan policy W DM2.
- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 INFORMATIVE: The applicant is advised that works should not encroach upon the beach foreshore and all works should be contained within the application site, including all construction works, vehicles and materials.
- 6 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.