

Ref: P/63/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Demolition of conservatory and erection of addition to provide two bedrooms, bathroom, dining area and lounge. 43 Kings Drive, Pagham.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.03 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominately flat.
TREES	None of any significance to be affected by the proposed development.
BOUNDARY TREATMENT	1.8m close boarded fencing surrounds the rear of the site.
SITE CHARACTERISTICS	Two storey terraced property. The dwelling consists of brown brick walls, with a section of brown hung tiles to the front façade. Brown tiled gable roof. Flat roofed front porch, with first floor flat roof extension above.
CHARACTER OF LOCALITY	Residential area. The properties that immediately surround the site are predominately two storey terraced dwellings, which are uniform in style and character.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None.		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Pagham Parish Council	Objection: Such a large extension, albeit at the rear, would be completely out of character with the regular layout and footprint of those adjoining. There would be an element of loss of privacy and 'quiet enjoyment' arising from proposed fenestration, but considered to be of more serious impact was the potential loss of free sunlight and hence overshadowing of properties in the lee of the extensions due to its necessary orientation. It was therefore felt that this application failed to meet policies GEN7 (iv) and DEV19 (iii) (v).
Local Groups	None
Other	None.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, CH1, DEV1.
Arun District Local Plan: GEN2, DEV19.

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

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.

COMMENT ON CONSULTATION RESPONSES

None.

COMMENT ON REPRESENTATIONS RECEIVED

It is noted that the proposed extension is large in size; however it would only marginally impinge upon a 45 degree line taken from the closest first floor neighbouring bedroom window. It is therefore considered that the proposed extension would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of light.

The proposed extension would be positioned to the rear of the property, completely screened from the street scene. It is therefore considered that the proposal would not detract from the character of the surrounding residential area.



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ASSESSMENT OF PROPOSAL

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 proposed extension is considered to be of a poor quality design, which would unsympathetically relate to the main dwelling in scale, siting and design, contrary to DEV19 (i, ii) of the Arun District Local Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. It is considered that the proposal would not cause demonstrable harm to the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of light, and nor would it have an adverse impact upon the established character of the surrounding residential area.

CONCLUSIONS

The proposal would involve the addition of a two storey rear extension, measuring 5.7m in width, 6.5m in length and 5.4m in height with a flat roof. An existing conservatory would be removed in order to facilitate the proposed development.

The application site is located within a residential area, being set back from Kings Drive behind a large and relatively well screened grass verge. The site is bordered to the north and south sides by neighbouring back gardens; with a private pedestrian access to the rear which backs onto another neighbouring back garden.

The proposed extension is considered to be of a poor quality design, which would unsympathetically relate to the main dwelling in scale, siting and design, contrary to DEV19 (i, ii) of the Arun District Local Plan. It is noted however, that the proposal would be well screened from the street scene by the existing and neighbouring dwelling, as well as the established tree screening to the grass verge in front of the property. It is therefore considered that the proposal would not appear as an obtrusive form of development, and nor would it detract from the character of the surrounding residential area.

With regard to residential amenity, the most affected neighbouring dwelling would be No. 45 Kings Drive, which is attached to the north side of the property. The closest first floor window to the rear elevation of this property is a habitable bedroom window, however it is noted that this extension would only marginally impinge upon a 45 degree line taken from the centreline of this neighbouring window, which would not it is considered, warrant refusal of this application. It is therefore concluded that the proposal would not cause demonstrable harm to the residential amenities of this or any other neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light.

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 CONCLUSIONS

It is therefore considered that on balance, the proposal would be acceptable and would not appear obtrusive in the street scene and nor would it conflict with the established character of the surrounding residential area.

It is therefore recommended that planning permission should be granted, subject to the conditions set out overleaf.



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Pagham

RECOMMENDATION

Approve Conditions

- 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 materials and finishes of the external walls 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 DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 The first floor windows on the north east and south west 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 DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the north east or south west elevation of the extension 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 DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 5 This permission relates to the amended plans submitted on 25th July 2007 and not to the plans originally submitted.

Reason: For the avoidance of doubt.

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6 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light and nor would it have any material adverse effect on visual amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: DEV1, CH1.

LOCAL PLAN: GEN7, DEV19.

NATIONAL POLICIES: PPS1.

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

