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

REF NO: **P/73/12/**

LOCATION: 27 Sea Lane
Pagham

PROPOSAL: Extension and alterations (resubmission following P/105/11/)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 581 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall approximately 1m-1.5m in height, side boundaries close boarded fencing approximately 1.8m in height, rear has wall approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with attached garage on western side, conservatory on rear and dormer on eastern side. The property has red brickwork, white smooth rendered walls on upper level, white window frames with a tiled roof.
CHARACTER OF LOCALITY	Residential comprising detached properties of various styles and designs, many of which have been extended with roof alterations, dormers and rear extensions.

RELEVANT SITE HISTORY

P/54/11/	Extension and alterations	Refused 22-09-2011
P/105/11/	Extension & Alterations	Refused 17-02-2012 **Appeal: Dismissed 09 05 2012**
P/7/61	Alts & Adds	Approve Conditionaly 19-04-1961

P/7/65	Alterations and additions	Refused 15-04-1965
P/7/65/A	Alterations and additions	Approve 08-07-1965

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

The Emerging Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	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

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.

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 detached property is sited within the defined built up area boundary where the principle of development is acceptable subject to relevant development control criteria. It is sited within a residential road where there are predominantly detached properties many of which have been extended with roof alterations, side dormers and rear extensions. The properties each side No 25 and 29 have previously been extended with roof alterations and side dormers.

Previous applications P/54/11 and P/105/11 for a first floor roof extension, dormer on the eastern side and a single storey extension on the rear have both been refused. This was on the basis that the roof alterations by reason of its bulk and design would detract from the symmetrical appearance of the dwelling and would appear out of character within the street scene. An appeal was lodged under P/105/11 and subsequently dismissed with the inspector concluding that the extension would result in a bulky unsymmetrical addition to the front elevation that would unbalance the appearance of the property.

The existing property has an attached garage and dormer on the western side which is to be removed with a rear conservatory and the application seeks to construct a two storey extension on the western side and rear with pitched roof dormers on the side elevations and a front porch. The proposed two storey addition will be sited on the western side approximately 1m from the neighbouring property No 25 and will extend along the side with a rear projection of 3m. On the west side elevation of the proposal at ground floor level there are two high level windows that serve a dining room. A pitched roof dormer is to be sited on the western side which will serve the landing area with a smaller pitched roof dormer on the eastern side that will serve a bathroom. The proposal also shows three roof lights on the eastern side roof slope that will provide light into the bedroom and study area. The upper level of the property will be clad in a grey weather boarding with the same weatherboarding used on the side dormers. The neighbouring property No 31 is similar in appearance with weatherboaring and side dormers. It is considered that the pitched roof porch is of an acceptable size and height that is not considered to be out of scale with the host dwelling.

With regard to residential amenity the neighbouring property to the east No 29 is sited approximately 2m away. This property has a side dormer on the western side which serves a bathroom and is obscure glazed and the proposal has a dormer on the eastern side which serves a bathroom. If approved, a condition will be imposed that the bathroom window be obscure glazed and non-opening. In view of its position and obscure glazing it is not considered that this would create loss of outlook or overlooking to No 29. The neighbouring property to the west No 25 is sited approximately 1m-1.5m away and has two pitched roof dormers on the eastern side which are obscure glazed and serve en-suites. The proposed dormer on the west side elevation serves a landing and this is to be obscure glazed. It is not considered that the proposal would be

overbearing or create unacceptable overlooking or loss of outlook to the neighbouring properties No 25 and No 29 to recommend refusal.

The proposed extension with its dual pitched roof still retains a chalet style appearance and is considered to be visually integrated with the existing dwelling. It would not harm the character and appearance within the street scene or surrounding residential area.

It is therefore recommended that the application be approved, subject to 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 for private an 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: Site 1:1250/Block 1:500 Drg No PG07, Proposed Ground Floor Drg No PG02 received on 30th August 2012, Proposed First Floor Drg No 04, Proposed Elevations Drg No 06 received on 17th October 2012.

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 policy GEN7 of the Arun District Local Plan.

4 The landing window on the west side elevation shall at all times be glazed with obscured glass. The bathroom window on the east side elevation shall at all times be glazed with obscure glass and fixed to be permanently non-opening.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.