

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

REF NO: P/81/13/

LOCATION: 58 East Front Road
Pagham

PROPOSAL: Demolish single storey kitchen extension and replace with new single storey extension for new kitchen and bedroom.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approx. 643 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Property raised up from highway to the north by approximately 1.5 metres.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2 metre high close board fencing to front boundary. Timber fencing to side boundaries.
SITE CHARACTERISTICS	Single storey building, painted render and block work to elevations with a shallow pitched felt roof. Conservatory and lean-to structure to west side elevation. Raised decking and concrete to front, side and rear.
CHARACTER OF LOCALITY	Residential seaside estate. Properties set in linear fashion to road frontage. Foreshore to the south of the site and scrub land to north. Area is noted as being an area of special character. SSSI site to north and south.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary
Within an Area of Special Character
Private Street

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	AREA1	Areas of Special Character
	AREA13	Sites of International Importance for Nature Conservation
	AREA14	Sites of National Importance for Nature Conservation
	AREA15	Sites of Local Importance for Nature Conservation
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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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. 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 conflict with relevant Development Plan policies in that the proposed additions would fail to appear visually subservient to the host dwelling.

OTHER MATERIAL CONSIDERATIONS

It is however considered that there are material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. The proposed extensions do not result in any harm to character and appearance of the existing dwelling or the surrounding area. Therefore, whilst the extension conflicts with criteria set out in DEV19 of the Local Plan, it is not to the detriment of visual or residential amenity.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area of Pagham Beach Estate which is an area of Special Character, noted for the distinctive scale and height of the residential buildings, the layout of the estate and the form and spacing of the buildings. The estate displays a mixed quality of design standard between the newer, permanent residential properties and the original holiday chalets and railway carriages, the latter being considered in this case.

Planning permission has been granted for replacement dwellings on plots 56 and 60 which border the application site; these have both been constructed and are significantly greater in scale than the extensions proposed.

RESIDENTIAL AMENITY

The proposed extension is to maintain a distance of 3 metres from the shared boundary to the west and 1.1 metres to the east. The single storey nature of the extension, orientation and distance of the neighbouring properties ensures against any undue harm to neighbouring amenity, by way of an overbearing affect and loss of light.

VISUAL AMENITY

The extension proposed is to the front elevation of the dwelling, it is to be of a greater scale than the existing single pitched roof addition to the front of the property. The extension is to have a shallow pitched shingle roof, with the ridge height some 700mm above the existing roof slope. As a result the extension does not appear visually subservient; however the resultant appearance does not detract from the appearance nor the general character and appearance of the locality. As such the extension is visually acceptable.

FLOOD RISK

The side and rear extensions that are proposed, will be raised to ensure finished floor levels are such to assist in reducing the future risk of the habitable accommodation being undulated in a flood event. The proposal therefore accords with NPPF by avoiding the exacerbation of flood risk as set out within the Environment Agency's Standing Advice.

SUMMARY

The proposed height, scale and appearance of the extension ensures visual integration with the

host dwelling and is of a design which ensures that the character and appearance of the host dwelling and locality is maintained. In addition, the scale and siting of the addition prevents any harm to visual amenity. It is therefore recommended that the application be approved subject to conditions set out below.

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 and a private 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:

1:1250 Plan; 1:500 Plan;
Drawing No. 1713/1; 1713/2; 1713/3; 1713/4.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No roof lights shall be constructed in the front roof slope 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.