

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

REF NO: P/88/19/HH

LOCATION: 19 Church Lane  
Pagham  
PO21 4NS

PROPOSAL: Removal of existing conservatory & erection of single storey front link extension between garage and dwelling.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above

**RELEVANT SITE HISTORY**

|          |                                                                                                  |                                  |
|----------|--------------------------------------------------------------------------------------------------|----------------------------------|
| P/69/98/ | Enlargement of existing drop kerb and crossover to provide access to new drive/car parking area. | ApproveConditionally<br>17-09-98 |
|----------|--------------------------------------------------------------------------------------------------|----------------------------------|

**REPRESENTATIONS**

**REPRESENTATIONS RECEIVED:**

Pagham Parish Council  
Parish Council: No objection

No representation from nearby occupiers.

**CONSULTATION RESPONSES RECEIVED:**

None

**POLICY CONTEXT**

Designation applicable to site:  
Pagham Harbour Zone A  
Within the Built Up Area Boundary  
Archaeological Notification Area

**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) |

|       |                               |
|-------|-------------------------------|
| DSP1  | D SP1 Design                  |
| SDSP2 | SD SP2 Built-up Area Boundary |

**PLANNING POLICY GUIDANCE:**

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

**SUPPLEMENTARY POLICY GUIDANCE:**

|     |                                                              |
|-----|--------------------------------------------------------------|
| PDS | Pagham Parish Council's Village Design Statement by PaghamPC |
|-----|--------------------------------------------------------------|

**CONCLUSIONS**

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Pagham has an emerging Neighbourhood Plan however none of the policies are relevant to this application.

**DESIGN AND VISUAL AMENITY**

Given the proposal is not visible from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area. This is predominantly due to the proposed materials and modest, largely open scale of the development allowing it to remain subservient in appearance and sympathetic in style to the host dwelling.

The proposed alterations are considered to be acceptable in terms of design and visual amenity, in that they do not have any considerable impact upon the street scene, or the established character of the site. The proposed new window is not considered to have a demonstrably negative impact on the appearance of the building or considered to impact upon overlooking and privacy of neighbouring properties.

Therefore, the proposal is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

**NEIGHBOURING RESIDENTIAL AMENITY**

The proposed development is not considered to have any significant impact upon the residential amenities of neighbouring dwellings. The proposed construction would be located within the current footprint of a conservatory with a flat roof. The proposal is located 6.25m from the eastern boundary and connects the existing garage to the existing dwelling.

The proposed window and door are sited on the eastern elevation with one further door located on the southern elevation to provide access to the garden. As a result of the positioning the doors and windows are considered to not gain a view of any neighbouring dwellings. The proposal also includes one sky light

that is not considered to gain any unacceptable views of the neighbouring properties. As the proposal is single storey it is considered to mitigate any potential for loss of privacy. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

Given the location and height of the proposed extension there will be an effect on some of the local properties with regards to the 45 degree rule. This is because the proposal runs directly along the neighbouring boundary. The proposal is deemed to be acceptable due to the current conservatory being located where the extension is proposed, as such the impact on the neighbouring property is not deemed to be a reason for refusal.

#### **SUMMARY**

The proposed development is deemed to accord with the relevant development plan policies and as such is recommended for approval subject to the following conditions.

#### **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:  
- Proposed Plans (Sheet 1 of 2)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3      **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.