

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

REF NO: P/8/13/

LOCATION: 21 Barons Mead
Pagham

PROPOSAL: Single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a single storey front extension.
SITE AREA	Approximately 331 sq metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	N/A
BOUNDARY TREATMENT	None to front.
SITE CHARACTERISTICS	Semi-detached bungalow constructed from light brick with horizontal vertical cladding to front elevation and pitch, tiled roof.
CHARACTER OF LOCALITY	Residential cul-de-sac of semi-detached modern bungalows, some with front projecting gables.

RELEVANT SITE HISTORY

P/36/61	Erection of 18 pairs of semi detached bungalows and garages	Approve Conditionally 06-12-1961
P/42/63	Garage	Permit'd Devel 08-11-1963

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:
Permitted development restriction
Within built-up area boundary

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.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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.

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 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

PRINCIPLE

The site is located within the built-up area boundary where the principle of new development is acceptable, subject to the impact on visual and residential amenity.

DESIGN AND VISUAL AMENITY

The proposed extension will have a hipped, tiled roof with a ridge height of 3.5 metres, width 3.25 metres and depth 2 metres. The ridge height of the extension will be positioned 1700mm below the ridgeline of the host property, such that it will appear visually subservient. It is a small scale addition to the property that is modest in size and scale and the proposed materials will match the host dwelling.

The property is located in a modern, open plan estate of semi-detached bungalows, some of which have projecting gables, others have extended to the front (no. 23). Given the modest size and scale of the extension and the ample size of the front garden (approximately 14 metres deep), the proposal is considered to preserve the spatial pattern of development within the streetscene, and will not appear visually obtrusive or prominent. The impact on the streetscene is therefore considered to be acceptable.

RESIDENTIAL AMENITY

The proposed extension will be set back from the nearest ground floor window of the adjoining semi-detached property at no. 19, such that there will be no loss of daylight or outlook. The siting of the proposed front extension may restrict the daylight and outlook to a glazed porch on the flank elevation of the neighbour at no. 23, but this is an entrance lobby and, as such, is not habitable accommodation. The proposal will therefore not adversely impact residential amenity.

SUMMARY

In summary, the proposal is considered to have no adverse impact on visual or residential amenity. It is therefore recommended that consent is granted, subject to the conditions summarised 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 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 the following impacts (Neutral) 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).

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: drawing 4851/01 Site Location and Block Plans, drawing 4851/2 Plans and Elevations as Existing, drawing 4851/3 Plans and Elevations as Proposed, drawing 4851/4 Plan and Section, drawing 4851/5 Specification, received on 19 February 2013.

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 policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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: GEN7, GEN2, DEV19, Pagham Village Design Statement

NATIONAL POLICIES: National Planning Policy Framework (2012)

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

- 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.