

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

REF NO: P/90/12/

LOCATION: 86 Pagham Road
Bognor Regis

PROPOSAL: First floor extension to front of property

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed front extension measures approximately 3.8m in width, depth of 5m with a maximum height of 6.3m.
SITE AREA	Approximately 410 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has close boarded fencing + trellis approximately 1.8m in height, north side boundary has close boarded fencing + trellis approximately 1.8m in height, south side boundary has hedge approximately 1.2m in height.
SITE CHARACTERISTICS	Semi-detached two storey property with reddish/brown brickwork on lower level, white smooth render on the upper level, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Main road comprising detached and semi-detached properties of various styles and designs, open fields to west of site.

RELEVANT SITE HISTORY

P/35/68	Additions	Approve 10-04-1968
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REPRESENTATIONS

Representations received:

Pagham Parish Council

Objection

Members were of the opinion that this proposal was totally out of character with the street scene. It contravenes a number of the elements of the Pagham Village Design Statement (VDS). This area is addressed in the VDS on page 17 and members wished to draw attention to bullet points 4; Preserve Character of Area, 5; Front boundaries should

contribute to overall street scene, 7; Extensions in keeping, well-related to existing buildings and space, 9; Maintain existing pattern, eg setback, density.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [DEV19](#)
[GEN2](#)
[GEN7](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

PDS

Pagham Parish Council's Village Design
Statement by PaghamPC

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 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality and 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

Pagham Road is a residential road comprising a mixture of detached and semi-detached properties with front gardens that are enclosed by walls, fences and hedges. To the west are open fields.

The two storey property is one half of a semi-detached pair of houses and there is a similar pair of houses to the north. The application seeks to extend the existing entrance hall which is sited on the northern side of the dwelling with a first floor addition that will create a new bedroom. The amended roof design when viewed from the front and side would be lower than that of the main house.

With regard to residential amenity the neighbouring property to the south No 84 is sited approximately 6m away. The immediate property to the north No 88 is sited approximately 2m away. The proposed extension will be set forward of both properties so it is not considered that this would be of an overbearing affect or create loss of outlook to the occupiers of No 84 or 88.

The proposal by way of its front projection would not sympathetically relate to and would detract from the overall symmetry of each pair when viewed from Pagham Road. It would compromise the existing spatial character and pattern of the street scene and would not respond positively to the characteristics of the area.

Taking this into account it is recommended that the application be refused for the following reason.

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 and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed extension by reason of its front projection would detract from the symmetrical appearance of the house and the adjoining semi-detached dwelling. It would appear incongruous in the street scene and detrimental to the character of the area. It is therefore contrary to policies GEN7 (ii) and DEV19 (i) (v) of the Arun District Local Plan and The National Planning Policy framework - Requiring Good Design (56).
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.