

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

REF NO: P/92/13/

LOCATION: 3 Lake View
Pagham

PROPOSAL: First floor front extension and dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 290 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front is open with grassed area to footway, side and rear boundaries close boarded fencing.
SITE CHARACTERISTICS	Chalet style property with front dormer, conservatory on rear. Garage in rear garden with access from Elm Close. The property has reddish/brown brickwork, white on front dormer, white PVCu doors and windows with a concrete tiled roof.
CHARACTER OF LOCALITY	Detached chalet style properties open plan in character with pond and grass area to front of site. Properties to the west and surrounding are predominantly bungalows of various styles and designs.

RELEVANT SITE HISTORY

P/135/69	Garage	ApproveConditionally 29-10-1969
P/132/79	Single garage and storm porch to rear	ApproveConditionally 16-01-1980
P/62/80	Conservatory	ApproveConditionally 04-06-1980

REPRESENTATIONS

Representations received:

Pagham Parish Council

Objection

Members had deferred their deliberations having been apprised of the fact that no planning application notice appeared to have been in evidence at the site for the two weeks prior to the 12th of November. Site visits by Councillors had confirmed this. Upon examination of the plans together with study of Google Earth site detail, a majority of members were of the opinion that the proposal would be out of character with the established spatial context and setting of the Lake View site. There is a design conformity along that frontage, and the imposition of a large gable end and significant roof extension was seen to constitute a singular departure from the streetscape and regularity of the development.

ADC Saved Policies Local Plan 2003

Gen7 ii) responds positively to identified characteristics respects and enhances local distinctiveness

Dev 19 i) sympathetically relates visually integrated .in design, form and scale

v) not compromise established spatial character and pattern of the street

Pagham Village Design Statement 2007

Page 7 (Development Criteria) Bullet point 3 extensions not to vary significantly in height and bulk from those nearby.

Comments on Representations received:

Objection comments noted

A planning notice was posted at the time of the officer's visit on the 24th October 2013 on the lamp post opposite the property outside of No 2 Lake View. See conclusions section of the officer's report regarding design, form and scale.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

A formal connection to the public sewerage system is required in order to service this development.

Comments on Consultation responses:

Southern Water

If approved, an informative will be imposed regarding connection to the public sewerage system.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

PDR Restriction - Open Plan

Public Sewer On Site

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

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 it would have a materially adverse effect on the visual amenities of the locality, 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 chalet style property which is one of four is sited within an area that is open in character and appearance with a grassed area and pond to the front of the site. The property has previously been extended on the rear with a conservatory. The application seeks to construct a first floor extension with dormer on the front of the dwelling which will increase the existing first floor accommodation to create a new bedroom with bathroom.

The proposed first floor hipped roof extension will be positioned to the southern side and will be no higher than the existing ridge height. It will measure approximately 3.9m in width, maximum depth of 6.8m with a height of 4.2m. The attached dormer which will create the bathroom will have

a flat roof and will be set in from the northern side flank wall by approximately 0.5m. It will measure approximately 2.4m in width, depth of 2.1m with a height of 2m. The proposed extension by reason of its width, height and dominant appearance would severely unbalance the strong lines of the original design and would not appear visually subservient to the host dwelling.

The properties on this side are stepped back from each other and to the front is a grassed area so it is not considered that this would affect the residential amenities of neighbouring properties.

When viewed from the street scene it would appear as an unsympathetic addition and not in keeping with the original design of the dwelling and nearby properties. It would appear as an obtrusive addition in the street scene and at odds with the National Planning Policy Framework which seeks to promote good design and requires development to respond to local character.

Taking this into account, it is recommended that the application be refused.

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). 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. 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 first floor addition in view of its front projection, overall size and height would appear as an unsympathetic addition and detract from the original design of the dwelling. It would be out of character and appearance with the host dwelling and the street scene in conflict with policies GEN7, DEV19 of the Arun District Local Plan and the National Planning Policy Framework.
- 2 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The

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Local Planning Authority has acted positively and proactively in determining this application. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.