

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

REF NO: P/96/15/HH

LOCATION: 27 Cardinals Drive
Pagham

PROPOSAL: Demolition of existing detached garage & erection of side single storey extension & detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposal would create a single storey side extension with hipped roof and replacement detached side garage with gable end style roof.

The proposal was amended to reduced the height and size of the detached garage following a request from the officer that it would not be acceptable at that excessive scale.

SITE AREA

0.06 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat

TREES

Some small trees to the front of the house will have to be removed but none of any significance affected by the proposed development.

BOUNDARY TREATMENT

1.8m close boarded fence to sides and rear and 0.5m brick wall to front.

SITE CHARACTERISTICS

Detached, hipped roof bungalow on a corner plot with detached garage to side including driveway and garden to front and garden to rear. The property is constructed form red brick with red clay roof tiles.

CHARACTER OF LOCALITY

Characterised by detached and semi-detached bungalows and houses set back from road. Open character to the area, controlled by an open plan condition.

RELEVANT SITE HISTORY

P/32/54/A	Bungalow	Approve 11-04-1956
P/121/85	Replacement portable compton garage	ApproveConditionally 25-11-1985

None relevant.

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objection.

Comments on Representations received:

Comments noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Open plan condition

PD Restriction

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) DEV19
 GEN2
 GEN7

[Publication Version of the Local Plan \(October 2014\):](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Pagham does not have an adopted Neighbourhood Development Plan - the draft plan was subject to consultation between 2nd October and 15th November but does have a village design statement which will be considered in this application.

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

DESIGN AND VISUAL IMPACT

The proposal would be subservient to the appearance of the main house as it is set down from the main roof with a hipped roof style on the extension and shallow gable end style to the detached garage. The character of a detached bungalow with detached side garage is retained and the garage is not considered to dominate the street scene given its prominent location on a corner plot. As such it is considered to comply with the Pagham Village Design Statement and not reduce the open character of the area.

Materials to match existing will be ensured via condition.

NEIGHBOUR AMENITY

The proposal will be to the side of the dwelling where there is no direct neighbouring property as the boundary fronts Greenways (a road) and the proposal would not be close enough to 1a Greenways to have a significant impact on its residential amenities.

The proposal is considered to be acceptable in terms of impact on neighbour amenity.

PARKING

The new garage and existing parking to driveway at front would retain three off street parking spaces which is acceptable for a three bedroom bungalow and is not considered to create significant on street parking.

The proposal is recommended for conditional approval.

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 protect 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 (negative, Neutral or positive) 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 assessment of the proposal is considered to have a neutral impact.

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:

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Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extension and garage hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.