

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

REF NO: P/9/18/HH

LOCATION: 8 Cardinals Drive
Pagham
PO21 4QF

PROPOSAL: Single storey front & rear extensions & roof conversion to include 5 No. roof windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed front extension measures approximately 4.5m deep, 9.4m wide and 6.2m high (max). The rear extension measures approximately 3.2m deep, 4.2m wide and 4.1m high. The proposed extensions increase the height of the roof to facilitate the roof conversion. The proposed roof contains 6 roof lights and a sun tube. Materials would be render and weatherboarding and clay tiles.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary has a low brick wall and timber fence approximately 0.5m high. The rear has timber fencing approximately 1.8m high and also mature planting.
SITE CHARACTERISTICS	Detached single storey L Shaped property constructed of render beneath a tile roof. The property has a rear conservatory and an attached garage.
CHARACTER OF LOCALITY	Residential comprising primarily single storey properties.

RELEVANT SITE HISTORY

P/16/54	Bungalow	ApproveConditionally 18-08-54
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P/16/54/A	Garage	ApproveConditionally 30-03-55
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P/20/73	Additions	Permit'd Devel 11-04-73
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There is no relevant planning history

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

Pagham Parish Council has no objection

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

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

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings

D SP1 Design

SD SP2 Built -Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. A consultation into proposed modifications ended in mid February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Policy 1 and 3 of the emerging PNNDP are of relevance. The proposal does not comply with policy 3.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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 not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, and it would 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

The site is located within the built-up area where the principle of development is acceptable subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities. Policy DEV19 of the Arun District Local Plan which requires extensions to be sympathetic and visually integrated with the existing building in terms of siting, design, form, scale and materials.

The development will result in a change to the appearance of the dwelling, however, it is important to note that change is not necessarily harmful. The proposed development will provide a front extension which is comparable to the existing front addition. This aspect of the scheme is a modest addition and is subservient to the main property. As such this aspect of the scheme is not considered harmful to the character and appearance of the host property or the wider area.

However, the rear extension is a more dominant addition. Whilst its depth and width are considered appropriate the proposal involve providing a large gable roof to a height of 6.1m. The ridge of the proposed roof would be 0.6m higher than the ridge of the existing house. The 0.6m increase would be visible from the street. When viewed from the side the proposed extension, due to the height and the increase in the bulk of the roof, appears unduly dominant and not subservient to the main house. Given the height of the neighbouring development it is considered that this bulk will be visible from the street.

Therefore, it is considered that the proposal would result in a prominent and visually harmful feature and when considered as a whole the proposal would adversely affect the visual amenities and character of the area and the host property.

With regard to impact upon the amenity of adjoining occupiers, it is considered that the proposed front extension due to its position and height it will have no impact upon the amenity of occupiers of the neighbouring properties, No.6 and No.10. The rear extension would be sited approximately 1.5m from the side boundary with No.6 and 2.5m from the side boundary with No.6. No.6 has windows in the side elevation however it is set approximately 3.5m from the side boundary, there is also a shed and greenhouse to the side of the property. The proposed roof lights are not considered to lead to a loss of privacy. Furthermore, given the height to eaves of 2.5m and the roof sloping away it is considered that the proposed development will not be harmful to the residential amenity of the adjoining occupier in No.6.

With regard to No.10 again the roof lights and ground floor windows will not lead to a loss of privacy to the occupiers of No.10. In addition, given the siting of the proposed extension and the separation distance it is not considered that the proposed extension will be unduly dominant upon the occupiers of No.10

Therefore, it is considered that the proposed development will comprise an unduly dominant and incongruous form of development which would be harmful to the character and appearance of the host property and wider area. Therefore, in conclusion, the proposed development, as a whole, is not considered to accord with policies GEN7 and DEV19 of the Arun Local Plan 2003 and the Pagham Village Design Statement or the NPPF in this regard.

The application is therefore recommended for refusal for the following reasons

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 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 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

REFUSE

- 1 Due to the height and design of the proposed rear extension the proposed development will comprise an unduly dominant and incongruous form of development which would be harmful to the character and appearance of the host property and wider area and would fail to comply with policies GEN7 and DEV19 of the Arun Local Plan 2003 and the Pagham Village Design Statement or the NPPF in this regard.
- 2 **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 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.