

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

REF NO: M/104/18/HH

LOCATION: 9 Allenye Way
Elmer
Middleton
PO22 6JZ

PROPOSAL: Loft conversion

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to remove the existing roof and construct a full height 1st floor, altering a modest bungalow to a two storey dwelling. The existing 5m pitch would be increased to its highest point 7m (abutting the southern boundary) and approx. 5.6m as its lowest part (abutting the Northern boundary). The extension would form four bedrooms dwelling with an internal layout that allows for primary living accommodation to the first floor with a master bedroom and further bedrooms on the ground floor. A balcony would serve the living area on first floor abutting the southern boundary.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Parish Council provided no response

One representation from neighbouring occupier at 7 Elmer Close

- a site visit by the case officer is acknowledged
- adjustments to the rear east elevation should be considered to limit the harm by virtue of the proposal and its overlooking into the garden. Opaque glass is suggested to all rear windows and replacing the rear door with a lower fixed window.
- overlooking and a reduction in privacy are my only concerns

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern water - requested that a standard informative is included - for connection to public sewer.

POLICY CONTEXT

Designation applicable to site:

Built up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are deemed to be D SP1, D DM1, D DM4 Local Plan.

DESIGN AND VISUAL AMENITY

Policy D DM1 requires that an assessment should examine the following aspects of form and design quality for a proposal. The character, the appearance and scale of the proposal should respect the local area without detracting from it. Allenye Way is characterised by a mix of chalet style, two storey and single storey bungalow style properties, set back from the road. Although the predominant rhythm of the roof styles is gables along the street scene the proposed design of the host dwelling is nothing out of the ordinary within the wider context of the area and as the proposal make an efficient use of land without detracting from it, the officers consider the development is in accordance with Policy D DM1 of the Local Plan.

Policy D DM4 requires extensions to existing buildings to be visually subservient to the main building. The proposed changes will significantly alter the shape of the existing dwelling and will effectively result in a full first floor height addition to an existing bungalow. For this reason the design needs to be considered as a whole rather than as a subservient addition. Although the scale and mass of the roof would be more visual it is not considered to detract from the overall appearance and architectural style of the dwelling which is considered acceptable,

NEIGHBOURING RESIDENTIAL AMENITY

The concerns of no.7 Elmer Close to the east of the site are noted. The host dwelling is set at a slightly higher level to the neighbour dwelling. This coupled with the further openings to the proposed rear (east) elevation it was considered amendments to the design were required to minimise the harm to the neighbouring amenity in respect of D DM1 of the Local Plan.

The first floor window serving the bedroom has been repositioned so the clear glazing serving the room at 1.7m above floor level whilst the remaining window is obscure glazed. The windows to the bathroom is

also obscure glazed whilst both are to be fixed and with limited opening (detailed listed on proposed elevation plan). The requirement to alter the ground floor proposed door to a window is consider unnecessary. Although it is above ground level when viewed from Elmer Close it is considered that a close boarded fence boundary coupled with that it replaces an existing kitchen window, does not provide a level of additional harm. No other properties are considered to be overlooked therefore the proposal is consider in accordance with D DM1 of the Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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) 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 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

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:
 - Location plan, Block plan, Existing floor plan, Existing elevation, Proposed floor plan dated 21/08/18
 - Proposed elevation dated 13/11/18

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls (and roofs) of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 All the windows at first floor level in the rear (east) elevation of the building shall at all times be and remain glazed with obscure glass and fixed shut to a height of 1.7m above the floor level of the room they serve.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 5 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.