

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

REF NO: M/105/20/HH

LOCATION: 22 Tudor Close
Middleton-On-Sea
PO22 6DN

PROPOSAL: Removal of existing roof structure, new first floor accommodation and pitched roof above and replacement rear single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to remove the existing roof structure, and replace with a new first floor with a pitched roof above, and a replacement single storey rear extension. The maximum roof height will increase from 6.45m to 9.1m.

REPRESENTATIONS

Middleton Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

The Council's Engineers - Please apply PCENG2.

OFFICERS COMMENTS ON CONSULTATION RESPONSE:

Comments noted. It is not considered reasonable to apply the proposed condition as the increase in footprint is considered to be similar to that which can be achieved under Permitted Development.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
SPD7	Middleton on Sea Village Design Statement

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Section M of the Arun Design Guide.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Section M of the Arun Design Guide relates to residential extensions, setting out criteria to which the proposed extensions should meet. These predominantly seek to ensure that the proposal appropriately relates to the host dwelling and the area.

DESIGN AND VISUAL AMENITY

The application site is populated by a single storey bungalow, in an area of predominantly chalet bungalows, or single storey bungalows. There are some examples of two storey dwellings in the area, for example Rose Cottage, and 8 Tudor Close. However, these do not inform the character of the immediate locality of where the application site sits which is of dwellings of a similar scale.

The proposed single storey rear extension is not considered to result in a harmful impact upon the host dwelling or that of the locality. This is due to the scale of the proposal and its siting meaning that there are no views of the proposal from the street scene.

The proposed development seeks to remove the roof structure of the existing host dwelling, and replace with a full first floor and new roof structure thereby increasing the height of the existing dwelling by over 2m.

This is considered to be visually harmful to both the host dwelling and the established character of the immediate locality. The proposed addition of a full first floor is considered to be visually dominant within the context of the host dwelling, and that of the wider locality, through the creation of a host dwelling which appears significantly at odds with the area.

Whilst it is noted that there are some examples of two storey dwellings within the area, they are not within the context of the application property as to justify the approval of this application. The adjacent dwelling is a chalet bungalow of a good design, of which represents the largest existing dwelling along this stretch of road.

The proposed extension is considered to overpower the existing dwelling, those in the area and the neighbouring dwellings to the East and West through its bulky design and form. As such, it is considered to be in conflict with Section M of the Arun Design Guide and policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is as a result of the aspect of the application site, and the separation distance between the host dwelling and its nearest neighbouring dwellings.

Whilst the proposed development does result in a large increase in bulk when close to its side boundaries, the footprint of these proposed extensions broadly align with those of the neighbouring dwellings, to create a reasonably standard side-to-side relationship.

Furthermore, as a result of the aspect and siting of the application site, any potentially harmful loss of light would fall within the application site itself. The distance to the dwellings to the North is over 20m, and as such, there is not considered to be any harmful impact upon these dwellings.

The proposed development will not result in any unacceptable harmful loss of privacy to the occupiers of nearby dwellings, in that whilst there are proposed first floor windows, they are to the front, and the rear of the host dwelling. This means that the windows are considered to provide views within the application site only with, acceptable oblique views of neighbouring private amenity areas.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is considered to result in a detrimentally harmful impact upon the character of the host dwelling, and the character and spatial pattern of the locality. This is due to its scale, design and siting resulting in an visually dominant proposal which overpowers the host dwelling and those in the area. This conflicts with D DM1 and D DM4 of the Arun Local Plan, and Section M of the Arun Design Guide.

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

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 The appearance of the proposed development has a significantly harmful impact upon the character of the host dwelling and its immediate locality, in conflict with Policies D DM1 and D DM4 of the Arun Local Plan and Section M of the Arun Design Guide.
- 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.