

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

REF NO: M/105/21/HH

LOCATION: 3 Silver Birch Drive
Middleton on Sea
PO22 6SE

PROPOSAL: Removal of existing conservatory & erection of single storey front & rear extensions.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

The front extension (including over main entrance door) would be single storey, 3.5m wide, 1.5m deep and would have a mono-pitched roof with an eaves height of 2.3m and a ridge of 3.6m. It would contain 2 windows, an entrance door and one rooflight (with UPVC framing). It would be constructed of facing brickwork and roof tiles to match existing house.

The rear extension would replace an existing glazed conservatory and would be single storey, 3.4m wide, 3.3m deep, and would have a dual pitched roof form with an eaves height of 2.1m and ridge height of 3m. It would be constructed with brick plinth and glazed panels with UPVC framing.

RELEVANT SITE HISTORY

M/25/06/	Amendment to approval M/77/05 (two storey side extension) to include high level window to bathroom.	ApproveConditionally 31-03-06
M/77/05/	Two storey side extension.	ApproveConditionally 19-08-05

REPRESENTATIONS

Middleton Parish Council - no objection.

No other representations were received.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineers:

The site is within the Lidsey Treatment Catchment, therefore surface water drainage design should be carefully considered and infiltration must be fully investigated. Recommend condition and informative to secure surface water drainage scheme, based on winter groundwater monitoring and infiltration testing.

Southern Water:

Any new connection to the public sewer network will require a formal application to SW.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Lidsey Waste Water Treatment Works Catchment Area

TPOs (x 2)

CIL Zone 4

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
QESP1	QE SP1 Quality of the Environment
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**KEY ISSUES:**

- Visual impact
- Residential amenity impact
- Drainage
- Trees

SITE & CONTEXT:

The site consists of a two storey detached dwelling, of early 21st century construction, with brick and colour washed render elevations, timber/effect barge board detailing, tiled roof and white UPVC windows and doors. The property has a front driveway for parking, integrated garage, and front garden area, enclosed by a low brick wall, pillars and black metal rail pedestrian and vehicular gates. To the side and rear the property is enclosed by close boarded timber fence panels and has a rear garden containing two

small young silver birch trees and ornamental trees.

The property is located on a corner plot on the south side of Silver Birch Drive, on the junction with Elder Way to the rear/south. The surrounding street and cul-de-sac consist of modern, early 21st century housing development, of similar but varying designs. The area has a sub-urban residential character.

VISUAL AMENITY:

Policy D SP1 of the Arun Local Plan (ALP) states development should reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, residential amenity impact and scale. ALP policy D DM4 sets out requirements for extensions and alterations to existing buildings, including that they should; sympathetically relate to and visually integrate with the building, be visually subservient to the main building, if the area is characterised by gaps between buildings at first floor then any first floor extensions maintain a 1m gap to the side boundary, and that extensions and alterations do not compromise the established spatial character or pattern of the place.

Section M of the adopted ADC Design SPD (Jan 2021) provides detailed advice regarding extensions including; "Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design. In addition it states, "The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable (Figure 274)."

The proposed front extension would be modest in scale, infilling an existing gap between the living room bay and the integrated garage, and would appear visually subservient in proportion to the main building. The area consists of houses of a similar scale and overall design but with differences in design details (including others nearby with larger front porches). The alteration to create a front extension would have a simple unobtrusive design which would visually integrate with the building and would not appear visually prominent within the street scene. It would be constructed of materials (brickwork and tiles) and have a pitched roof form to match the existing property and those nearby which would ensure a sympathetic and integrated appearance.

By virtue of its corner plot, the rear garden and development at the application property is and would be readily visible in public views from within the street scene of Alder Way. The rear extension would replace an existing hexagonal-shaped rear conservatory with a slightly larger rectangular shaped conservatory with brick plinth base. It would be of a scale which would remain visually subservient to the host dwelling, and its form, materials and appearance would visually integrate with the main building and have an acceptable impact on it and the surrounding area.

In conclusion, the proposed extensions would appear visually subservient and well-integrated with the host dwelling and have an acceptable impact on the appearance of the dwelling and the character and appearance of the locality, in accordance with ALP policies D SP1, D DM1 and D DM4, and the ADC Design SPD.

RESIDENTIAL AMENITY:

Policy QE SP1 of the Arun Local Plan requires development contributes positively to the quality of the environment and ensures development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development has a minimal impact to users and occupiers of nearby property/land e.g. by avoiding significant loss of sunlight, privacy and outlook

and unacceptable noise and disturbance. NPPF para 127(f) requires decisions to create places with a high standard of amenity for existing and future users. The ADC Design SPD sets out amenity requirements, including the 25 and 45 degree tests for daylight loss and minimum separation distances to avoid overlooking etc.

Both the front and rear extensions, by reason of their siting some distance from neighbouring properties and their scale, would have no impact in terms of outlook, light or privacy levels to neighbouring occupants. Residential amenity of neighbouring occupiers would be maintained, in accordance with the NPPF, ALP policies D DM1 and QE SP1 and the ADC Design SPD.

DRAINAGE:

Policy W DM3 of the Arun Local Plan states that "all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development" and that "Proposals for both major and minor development proposals must incorporate SUDS within the private areas of the development in order to provide source control features to the overall SUDS design. These include; green roofs, permeable driveways and parking, soakaways, water harvesting and storage".

ALP policy W DM1 states that in relation to the Lidsey Wastewater Treatment Works Catchment Area, "Although minor developments are unlikely to raise significant flood risk, due to the cumulative impact, all development within this area must also be accompanied by a Drainage Impact Assessment that must take account of both the individual and cumulative impact upon foul water disposal; flood storage capacity and surface water drainage or flood flows within the Lidsey Wastewater Treatment Works Catchment Area. Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements. In order to discharge conditions, the developer will be required to submit a statement from a suitably qualified and experienced engineer that the measures have been adequately and satisfactorily implemented."

The site is located within the Lidsey Wastewater Treatment Works Catchment Area. A Statement accompanies the application which states that the existing property is already connected to the foul water sewer so no new connections will be required for the new extensions (which include an additional ground floor WC). It also states that rainwater from the proposed extensions is to be dealt with through the existing storm water drainage system. The Council's Drainage Engineer has been consulted on the application and raised no objection. They have requested the addition of a planning condition and informative to secure surface water drainage scheme, based on winter groundwater monitoring and infiltration testing. This will be applied accordingly.

TREES:

Arun Local Plan policy ENV DM4 states that "Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO)...or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity" unless certain exception tests are met.

There appear to be two TPOs in the area, however, there are no mature TPO-ed trees on site or in the vicinity that would be affected by the proposals. As such, the proposals would not harm trees subject to a TPO or of local amenity value, in accordance with ALP policy ENV DM5.

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.

CIL DETAILS

This application is not CIL Liable since it is for minor householder extensions under 100sqm in floor space.

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:

- Proposed Block Plan and Floor Plans (Sheet 1 of 3)
- Proposed Elevations (Sheet 2 of 3)
- Proposed Roof Plan (Sheet 3 of 3)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4, QE SP1 and ENV DM4 of the Arun Local

Plan.

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located here [Drainage Planning Consultations Arun District Council on Arun District Councils website](#). A surface water drainage checklist is available on [Arun District Councils website](#), this should be submitted with a Discharge of Conditions Application.
- 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.