

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

REF NO: M/105/25/HH

LOCATION: 45 Southdean Close
Middleton-On-Sea
PO22 7TH

PROPOSAL: Part single, part two storey side and front extensions, first floor rear extension, loft conversion to habitable space, alterations to fenestration and installation of 3x balconies, following demolition of existing side extensions.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

M/2/21/HH	Two storey front extension, first floor side extension, single storey side extension, two storey side extension, conversion of roofspace to habitable use with rear dormer and installation of 4 x balconies.	Refused 26-04-21
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REPRESENTATIONS

Middleton Parish Council - No objection.

5 letters of objection received from nearby occupiers on the basis of;

- Out of scale.
- Out of keeping.
- Overcrowded.
- Loss of light.
- Reasons for previous refusal still stand.
- Potential for commercial use.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

DRAINAGE ENGINEERS - Objection.

Insufficient information regarding surface water drainage has been submitted to evidence that flood risk will not be increased as due to the proposed development.

It is proposed to manage surface water on via infiltration to the ground (subject to ground investigations),

via controlled discharge to a surface water sewer, or discharge to another sewer. We support this hierarchical approach in principle, as infiltration is the highest priority in the drainage hierarchy. However, insufficient evidence has been provided to demonstrate that infiltration is a viable solution.

POLICY CONTEXT

Flood Zone 2.

Erosion Risk within 200m Mean High Tide.

Lidsey LFRZ.

Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site comprises a detached two storey dwelling occupying a corner plot along Southdean Close. This application seeks planning permission for the construction of a part single, part two storey side and front extensions, loft conversion to habitable space facilitated by a roof extension, alterations to fenestration and installation of three balconies, following the demolition of the existing side extensions. The works would be partially visible from the street scene and from the public beach to the rear.

To the front (north) elevation, a pitched roof two storey porch extension would adjoin the proposed roof. The extension would mirror the gable end as existing within this elevation and would integrate well with the dwelling. It would follow the removal of the existing smaller porch extension. The proposed front extension would measure 3.3m wide, 2.2m deep to the east aspect, and 3.6m in depth to the western aspect and would serve as the entrance to the dwelling. Although this addition would project beyond the established building line, it would have an increased depth of 0.8m over the existing porch to be demolished, representing a minimal increase. As such, the proposed two storey front extension would not result in harm to visual amenity, and would be in accordance with Arun Local Plan policy D DM4.

To the side (west) elevation, the existing single storey extension is to be demolished, reinstating a 1.6m separation to the side boundary, consistent with the remainder of this flank elevation.

To the side (east) elevation, the existing garage is to be demolished, and replaced with a two storey

extension measuring 4.8m wide, 5.6m deep, with an eaves height of 3m, and a pitched crown roof with a maximum height of 5.4m. This represents a reduction of 1.8m in overall height compared with the previously refused application (M/2/21/HH). The extension would be similarly angled as the existing garage/extension. The rear element of the side extension, would extend 5.2m from the existing rear elevation, resulting in a total enlargement with an overall depth of 11.5m at its deepest point and 7.7m at its widest point. The side extension would be set back further than the existing side projection. The side extension would be visible within the street scene. Notwithstanding this, it is noted that the street scene is varied, with various extensions present. Furthermore, the extension would have a crown pitched roof form, reflecting the character and appearance of the host dwelling. Within the rear elevation of the side extension, a balcony is proposed. It would measure 1.2m deep and 3.4m wide with glass balustrades. The balcony would be inset with exterior walls screening views to either side. The width of this proposed balcony has been reduced by 0.6m from the previously refused application. Therefore, the proposed side extension and balcony would not appear unduly prominent within the street scene, nor would it result in demonstrable harm to the character or appearance of the host dwelling, street scene or wider area.

The proposed loft conversion would be facilitated by extending the roof to the rear (south) by 1.7m and introducing a flat roof to the crown of the main roof. The rear dormer would measure 4.3m wide and 1m deep. It would feature a balcony 3.8m wide and 1.6m deep, enclosed with glass balustrades. A similar example of a second floor dormer with a balcony is present at No. 42 Southdean Close, which is sited similarly with its rear elevation facing the beach. As such, the proposal would not appear at odds within the character of the area.

The proposed rear (south) extension to the first floor would not project beyond the existing footprint, but it would extend 1.7m further over the existing rear balcony, aligning with the proposed roof extension in this direction. As a result, the balcony would be reduced in depth to 1.4m while retaining its 10m width, and it would be enclosed with glass balustrades. Although the extension would increase the overall massing of the dwelling, it would not appear materially different from the existing arrangement and would therefore remain in keeping with the character of the host property.

Overall, the proposed development would alter the character of the dwelling in terms of its scale and massing, however given the varied character of the street scene, and the use of matching materials, the proposed works would not result in harm to the character or appearance of the host dwelling and the extensions would integrate well with the existing. The proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP).

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the Arun Design Guide (ADG) states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed two storey front extension would be positioned centrally to the front elevation of the host dwelling. As such, given the depth of the front extension and the spacing maintained between the front extension and neighbouring properties, the proposed extension would not result in significant overshadowing or overbearing impacts to neighbouring properties. The first floor large-scale windows to the gable end front extension will overlook the application site frontage and onto the close. The windows serve the stairwell and would give rise to some views of the opposite neighbour No. 54 Southdean Close. However, there is a distance of at least 10m between the host dwelling and the front boundary of this neighbour and approximately 35m between the two dwellings. As such, the proposed front extension would not give rise to harmful overlooking to neighbouring properties due to this distance.

The proposed side extension would be set in 1m from the shared boundary with 46 Southdean Close (north west) and partly constructed up to the shared boundary with the neighbouring property at 1 The

Jetty (west). In comparison, the existing structure is set in 0.1m from the boundary with No. 46 Southdean Close at its closest point. The proposal would therefore increase the separation distance to this neighbouring property. However, the roof of the side extension would extend right up to the boundary with the neighbour at 1 The Jetty, and given the proximity of the proposed extension to the western boundary and the height and bulk of the proposed two storey side extension, this element would result in overbearing effects as a result of the above, in addition to the constrained, limited amenity space serving 1 The Jetty. Therefore, the side extension would result in overbearing impacts contrary to Arun Local Plan policies D DM1 and D DM4.

Under the previously refused application, the proposed first floor side balcony would have been set in 1.2m from the western side boundary. This distance has been increased to 1.6m as part of this application. Furthermore, within the previously refused application, an additional balcony was proposed within the two storey side extension, with direct overlooking of neighbours at 1 The Jetty. This element has been entirely removed from this application, and two rooflights are proposed in its place. The rooflights would serve a bedroom and would not be of a high level due to the 1.5 storey nature of the development. Due to the height of the proposed rooflights, and the proximity of the rooflights to the western side boundary, the proposed rooflights would result in a significantly increased level of actual and perceived overlooking of neighbours at 1 The Jetty. This is particularly exacerbated as the this neighbour has a confined garden with limited privacy. However, a condition could not be attached to a granted consent to require the rooflights to be obscurely glazed and non-openable as the rooflights would be the the only windows serving this bedroom and such a condition would result in a harmful loss of outlook to future occupiers.

The proposed rear dormer and balcony would be sited centrally within the main roof slope, and set in 5m from the western side boundary and 14m from the eastern side boundary. Given these distances, the proposed dormer and balcony would not result in overbearing, overshadowing, or harmful overlooking. The balcony would sit above the existing rear balcony, and the resulting views would not differ significantly from those currently available.

The first floor rear extension would have a modest depth of 1.7m and would remain within the existing footprint of the building. It would not project further towards neighbouring properties and would not extend beyond the existing rear elevation of the neighbour to the west. Furthermore, the rear extension would be significantly set in from the eastern side boundary, thus would not result in any harm to the neighbour to the east. Accordingly, no overbearing or overshadowing impacts would arise as a result of the first floor rear extension.

To the rear, several existing rear windows would be replaced with four sets of sliding doors which would give rise to views of the rear garden and beach but would not be significantly different to those achieved from the existing rear windows. As such, the proposed alterations to fenestration within the rear elevation would not result in additional overlooking.

The proposed development, by virtue of the height and bulk of the two storey side extension, and its proximity to the western side boundary, would represent an unneighbourly form of development which would result in harm to the neighbouring residential amenity of 1 The Jetty by way of overshadowing, overbearing and overlooking impacts. The proposed development is therefore contrary with Arun Local Plan policies D DM1 and D DM4 and the ADG.

PARKING

The proposal involves the loss of the current garage. However, the existing garage does not meet the internal space standards of 6m by 3m set out in the Arun Parking SPD, therefore it's loss would not result in the loss of a parking space. The resultant parking provision would provide at least two spaces, with a replacement garage proposed and the parking within the application site frontage retained. As such, the

proposal would comply with the Arun Parking Standards.

LIDSEY LOCAL FLOOD RISK ZONE

The application site lies within the Lidsey Local Flood Risk Zone and the Lidsey Wastewater Treatment Catchment Area, where careful management of surface water drainage is required to minimise flood risk in the surrounding area.

It is acknowledged that the Drainage Engineers have raised an objection to the proposal, noting that the application indicates that surface water from the extended dwelling would be managed via infiltration to the ground. While this approach would generally be supported in principle, insufficient supporting evidence has been submitted to demonstrate that infiltration is a viable solution. It is also recognised that ground conditions and infiltration potential within the Middleton area can be variable.

The public sewer within the Lidsey Wastewater Treatment Catchment Area has a documented history of flooding, and any additional surface water entering this system has the potential to exacerbate flood risk. However, the proposed development would not introduce additional surface water loading beyond existing conditions. The ground floor extensions would be constructed over areas of existing hardstanding, while the first floor additions would be positioned over the current footprint of the dwelling. Although there would be a minor increase in roof area as a result of the roof extension, this uplift is minimal and would not materially alter overall runoff rates. As such, the proposal would not increase impermeable surface area or generate additional surface water runoff when compared to the existing situation.

On this basis, the development would not result in an increased risk of flooding on or off the site, having regard to the scale of the works and the absence of any increase in hard surfacing. Given that the extensions would be constructed over existing built form and hardstanding, it is not considered reasonable to refuse the application on drainage grounds. The proposal would be in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

SUMMARY

The proposed development, by virtue of the height and bulk of the two storey side extension, and its proximity to the western side boundary, would represent an unneighbourly form of development which would result in harm to the neighbouring residential amenity of 1 The Jetty by way of overshadowing, overbearing and overlooking impacts. The proposed development is therefore contrary with Arun Local Plan policies D DM1 and D DM4.

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION**REFUSE**

- 1 The proposed development, by virtue of the height and bulk of the two storey side extension, and its proximity to the western side boundary, would represent an unneighbourly form of development which would result in harm to the neighbouring residential amenity of 1 The Jetty by way of overshadowing, overbearing and overlooking impacts. The proposed development is therefore contrary with Arun Local Plan policies D DM1 and D DM4.
- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. It has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.