

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

REF NO: M/109/18/HH

LOCATION: 9 Ancton Close
Ancton
Middleton-On-Sea
PO22 6ND

PROPOSAL: Replacement detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed development seeks to demolish an existing flat-roofed garage, and replace with a pitched roof garage, with a larger footprint.

RELEVANT SITE HISTORY

M/32/77	Erection Of Garage	ApproveConditionally 15-06-77
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council
Parish Council - No objection.

No representations from nearby occupiers.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers:
There is a 300mm diameter culverted ordinary watercourse running under the existing garage and the proposed structure.

Our byelaws state that no development should occur over or within 3m of an open or culverted ordinary

watercourse. However, as the application is for a replacement structure agreement will hopefully be made in this instance. In order for the development to be permitted the developer must demonstrate that the replacement structure will not place any load onto the culvert and that maintenance will be able to be carried out by the riparian owner.

Please apply ENGD2B and ENGD6A.

Soakaways must be investigated for surface water disposal.

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 BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm 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 event plus 40% on stored volumes, as an allowance for climate change. 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 are also enclosed for information.

Southern Water:

Please apply standard informative. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

OFFICERS COMMENTS ON CONSULTATION RESPONSES

As a result of the small increase in footprint of the replacement garage it is not considered necessary nor reasonable to impose a drainage condition.

POLICY CONTEXT

Designation applicable to site:

Within 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
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SUPPLEMENTARY POLICY GUIDANCE:**CONCLUSIONS****PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, the Middleton Parish Design Statement.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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.

DESIGN AND VISUAL AMENITY

The proposed development will be visible from the street scene and whilst it comprises a change to the character of the existing property, it is considered to have an acceptable impact on the character and appearance of the locality. This is due to there being an existing garage, therefore the principle of a garage is acceptable and part of the established pattern of development. The proposal is larger than the existing in height and length (0.9m higher and 0.7m longer), however, these extensions do not bring the garage any closer to the street scene than at present. Therefore, the proposal is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan and the Middleton Parish Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

The proposals maximum height is 3.1m however, this is set 2.3m from the Eastern boundary of the application site, this is also 2.9m lower than the ridge height of the host dwelling, and is therefore not deemed to give rise to any significant adverse impact on neighbouring residential amenity. There is not considered to be a significant loss of privacy as the proposal features no windows on its Eastern elevation, and even if there were, any views would be impeded by the fencing that lies between the two properties.

The proposal is deemed to accord with policies D DM1(3) and D DM4(c) of the Arun Local Plan in terms of neighbouring residential amenity.

SUMMARY

The proposed development is deemed to accord with the 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

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 & Block Plan - 27/07/2018
 - Proposed Ground Floor Plan - 06/07/2018 - Rev. A
 - Proposed Elevations - 06/07/2018 - Rev. A
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 4 **INFORMATIVE:**
A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging arrangements documents which has now been published and is available to read on our website via the following link:

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- 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.