

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

REF NO: M/113/21/HH

LOCATION: 17 Sea Way  
Middleton-On-Sea  
PO22 7RZ

PROPOSAL: Single storey rear extension with balcony above and alterations to fenestration

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | Two storey rear extension measuring approximately 14.3m in length and 3m in depth. The proposed works will provide an extension to the properties living/dining area and at first floor a balcony is proposed, alterations to the to existing first floor bay windows are also sort. |
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| <b>REPRESENTATIONS</b> |
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None.

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| <b>CONSULTATIONS</b> |
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**CONSULTATION RESPONSES RECEIVED:**

Parish Council - No Objection.  
Middleton On Sea Association - No Objection.

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| <b>POLICY CONTEXT</b> |
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Designation applicable to site:

BUAB

Area of Character No. 9

**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) |
| HERDM4 | HER DM4 Areas of Character                              |

**PLANNING POLICY GUIDANCE:**

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

**SUPPLEMENTARY POLICY GUIDANCE:**

|       |                                               |
|-------|-----------------------------------------------|
| SPD13 | Arun District Design Guide (SPD) January 2021 |
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## CONCLUSIONS

### PRINCIPLE

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.

Policy HER DM4 relates to Area of Character and states that planning will be granted subject to the retention of features which make a positive contribution to the character of an area and where possible enhances the special character of that area. In this instance, the area pertains to the historically important beach huts. This proposal will not affect the setting or the style of the huts.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Middleton has a village design statement which states proposals should have a high quality design, relate well to the existing site and its surroundings and seek to minimise overshadowing.

### DESIGN AND VISUAL AMENITY

The proposal seeks to provide a ground floor rear extension with a balcony above. The extension sits comfortably to the rear of the property which is located on a large plot and there is currently good space about the building. The amount of habitable space provided is believed to be proportional to the dwelling and the plot in which it sits.

The scale of the proposed extension, including the height of the ground floor element are thought to be appropriate. By utilising materials which match those currently found on site, the proposal is in keeping with the host dwelling.

The rear elevation will not be visible from the street and will therefore not affect it; however, it will be visible from the beach. It is noted that there is currently mature hedging to the southern boundary and only glimpses of the rear of the building are visible over the top of a pedestrian access onto site. The form of the extension has regard for the site's constraints as it retains building lines by springing directly from the rear wall of the property. This is seen in a positive light as when viewing the extension from the beach, its bulk will not negatively impact the landscape as it will only be visible against the backdrop of the existing building. Due to the large separation distances between the extension and the southern boundary and minimal opportunities to view the extension, it is considered that the proposal will not negatively impact to views from the beach.

As the extension will have good visual integration and that it will be subservient and sympathetic to the host dwelling and is deemed to accord with policy D DM4 (a) (b) of the Arun Local Plan and Part M of the Arun Design Guide.

### RESIDENTIAL AMENITY

Having regard to the 45-degree rule the extension does not fall within the disallowed area. The rear extension will not be full width and will be located to the west of centre further lessening its impact on its only neighbour to the east, No.15 Sea Way.

New fenestration to the extension will face towards the rear garden except for the north return of the westerly bay window, which will replace an existing bay window. The balcony is also showing screening at 1.1m to all sides. No 15 Sea Way is set further back (towards the beach front) in its plot so that No. 17 has views of its western (side) elevation. It is noted that there is one first floor window to the western elevation of No.15. As views across the site are already achievable from the existing bay window and as there is also a small balcony serving the two central bedrooms it is felt that the proposed would not increase overlooking from site and as such it accords with policy D DM4 (c) Arun. Views from the ground floor are considered acceptable.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 of the Arun Local Plan and Part 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**

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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

#### **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 and Block Plans 2106/PP2/00
- Proposed Front and Rear Elevation 2106/PP2/03
- Proposed Side Elevations 2106/PP2/04
- Proposed Ground Floor Plan 2106/PP2/05
- Proposed First Floor Plan 2106/PP2/05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 4 **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.