

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

REF NO: M/114/17/HH

LOCATION: 98 Elmer Road  
Middleton on Sea  
PO22 6LJ

PROPOSAL: Single storey rear extension, single storey front/side infill extension with painted render & boarding, extensions and alterations to first floor to increase the height of the property, alterations to the roof design & removal of entrance porch at front to increase parking area.

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| SITE AND SURROUNDINGS |
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| DESCRIPTION OF APPLICATION            | <p>As above</p> <p>The proposed rear extension measures approximately 5.2m wide, 2.4m deep and 4.2m high (max).</p> <p>The proposed front/side extension measures approximately 2.7m wide, 2.5m long and 3.7m high, the height of the existing part is also increased to this height.</p> <p>The proposal also involves changes to upper level and roof to provide a full first floor. This provides a pitch roof property with a maximum height of 7.8m.</p> <p>The original description was changed to reflect the roof alterations.</p> <p>Materials would be walls render and self colour boarding and concrete tiles slate effect to the roof.</p> |
| SITE AREA                             | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| TOPOGRAPHY                            | Predominantly flat                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| TREES                                 | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| BOUNDARY TREATMENT                    | The front boundary has a low wall approximately 0.5m high with a 1.5m high fence on one side and 1.5m - 2m high wall and fence on the other side. To the rear there is a 1.5m high wall and similar height fence.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SITE CHARACTERISTICS                  | Chalet bungalow with rooms in the roofspace. The property is constructed of render at the front and brick at the rear beneath a red tile roof. The property has a porch to the front and conservatory and outbuildings to the rear. It is set on a modest                                                                                                                                                                                                                                                                                                                                                                                               |

plot

## CHARACTER OF LOCALITY

Residential with properties of varying size and design.

**RELEVANT SITE HISTORY**

No relevant planning history

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Middleton Parish Council

Middleton Parish Council have no objection

No response to public consultation

**COMMENTS ON REPRESENTATIONS RECEIVED:**

None

**CONSULTATIONS**

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Southern Water Planning

**CONSULTATION RESPONSES RECEIVED:**

Council's Drainage Engineer recommends a condition to any permission.

Southern Water recommends an informative to any permission

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted and conditions and informatives are included on the permission.

**POLICY CONTEXT**

Designation applicable to site:

Built up area

**DEVELOPMENT PLAN POLICES**[Arun District Local Plan \(2003\):](#)

|       |                                              |
|-------|----------------------------------------------|
| GEN2  | Built-up Area Boundary                       |
| GEN7  | The Form of New Development                  |
| DEV19 | Extensions to existing residential buildings |

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality  
D DM4 Extensions & Alterations to Existing Buildings  
D SP1 Design  
SD SP2 Built -Up Area Boundary

**PLANNING POLICY GUIDANCE:**

NPPF      National Planning Policy Framework  
NPPG      National Planning Practice Guidance

**SUPPLEMENTARY POLICY GUIDANCE:**

SPD7      Middleton on Sea Village Design Statement

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| <b>POLICY COMMENTARY</b> |
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The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

**The Neighbourhood Development Plan**

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Middleton PC does not have a Neighbourhood Plan.

## **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is not considered to fully comply with relevant Development Plan policies in that the proposed development would not be subservient to the main property. However, other material considerations mean the proposal is considered acceptable.

## **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. The wider character of the area is varied with a range of dwelling sizes as such the proposed development is not considered to be harmful to the character and appearance of the wider area.

## **CONCLUSIONS**

The application site is situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed side extension would infill the existing gap at the side of the property from the existing side addition to approximately 1.4m behind the front elevation of the house. The proposed extension would be sited approximately 0.25m from the boundary with Mayfield to the west and 6m from front boundary. The proposed rear extension would be 1m from the side boundary with No.100 and retains an adequate amount of garden area approximately 6.5m deep.

The proposed roof and first floor alterations significantly alter the shape of the building. However, change is not necessarily harmful. There is an increase in ridge height of the property of approximately 1.3m to 7.8m high. The proposed property would have a traditional two storey appearance to the front with an asymmetrical sloping roof. To the rear the roof slopes to single storey level with roof lights in the roof slope. Therefore, the extensions and alterations as a whole alter the design, scale and bulk of the original property. However, the wider area benefits from a range of property styles and sizes including a mix of two storey properties and bungalows side by side. The property to the east is a two storey house with a cat slide roof over a front extension with a dormer window in the roof slope. To the west is a hipped roof bungalow.

Therefore an increase in height and bulk is not considered out of keeping in its streetscene context. Furthermore, national guidance in the NPPF states "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."

As such whilst the style of the resultant property is different and is not subordinate to the original house it is not considered, on balance, that its scale, bulk and detail is out of character or harmful with the wider area which has a mix of styles and sizes.

The materials proposed are weatherboarding, render and tiles. These are considered satisfactory.

Therefore, whilst there are significant changes to the existing property the proposed extensions and alterations are not considered to be harmful to the character and appearance of the host property or the wider area.

There are no windows in the side elevation of the rear extension facing No.100 and there would be a separation distance of 6m to the side boundary with Mayfield. Given the height of the rear extension it is not considered the proposal will be harmful to the amenity of adjoining occupiers due to loss of privacy, light and outlook. The single storey side extension will have no impact upon No.100. It is situated 0.2m from the side boundary with Mayfield to the east which has windows in its side elevation. The proposed side extension would only have roof lights facing Mayfield. As such given the height of the side extension being 2.2m to eaves level it is not considered to be harmful to the privacy or outlook of the adjoining occupiers.

The proposed upper floor and roof changes will increase the height of the gable end walls on both sides. However, the increase is not considered to be significant. The building will be 1m from the side boundary with No.100 but will not lead to a harmful loss of light or outlook to the side or rear of the property. The only windows on the side elevation of the application property are existing. Whilst the height is increased to the front as compared to the existing property the proposal will not infringe a 45 degree line from the nearest front window in No.100 and is therefore considered acceptable.

With regard to Mayfield to the east, given the separation distance of approximately 3m to the boundary the proposal is not considered to lead to a harmful loss of light or outlook to this property. Again the only first floor window is an existing one.

Therefore, it is considered that the proposed development will not lead to an unacceptable impact upon the amenity of adjoining occupiers.

There are no parking implications arising from the proposed development.

In summary, on balance the proposed development is not considered to be visually obtrusive or prominent to merit refusal of planning permission and also it would not have an adverse impact on the visual or residential amenity. The proposed development complies with adopted planning policy in the Arun Local Plan 2003 and the Middleton on Sea Village Design Statement . As such the proposed development is therefore recommended for approval subject to the following conditions.

## HUMAN RIGHTS ACT

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.

## 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 site plan, block plan, 14/18/01A, 14/18/02, 14/18/03, 14/18/04A, 14/18/05, 14/18/06A, 14/18/07 & 14/18/08.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until samples of such materials and finishes to be used for external walls and roofs of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 GEN7 and GEN9 of the Arun District Council 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.

- 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.
- 6 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](http://www.southernwater.co.uk)
- 7 INFORMATIVE: Southern Water initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.
- 8 INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".