

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

REF NO: M/121/21/HH

LOCATION: Driftwood
Manor Way
Elmer
Middleton-On-Sea
PO22 6LA

PROPOSAL: Retention of two storey rear extension and installation of 1 x front dormer

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Retrospective application for a two-storey rear extension measuring approximately 3m in depth by 8.5m across the back of the house and a flat roof dormer to the western roof plane.

REPRESENTATIONS

Parish Council - Objection.
Not part of the original planning application and has been built without approval and should be removed.

The property is registered with Airbnb (bed & breakfast enquiries) and receiving income from occupiers wishing to stay at the property. We are concerned that a change of use planning application has not been made and object to this planning application.

No detailed Flood Assessment report with this planning application, Arun District Council have refused some previous planning applications with regard to surface water management in this area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

This application will have regard to the unauthorised development on site, the potential for flood risk in relation to this development but it does not concern itself with COU queries.

POLICY CONTEXT

Designation applicable to site:
BUAB
Flood Zone 3
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&alter to exist builds(res and non-res)
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD7	Middleton on Sea Village Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

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.

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 rear extension will be designed to have an eaves line and pitch to match the existing house; consequently, its ridge height is lower than the current ridge height level. Additionally, it will be clad with a material which matches other cladding found on site, as such it is considered to be visually sympathetic to the host dwelling.

The dormer to the front of the property will sit on the western roof plane. The use of cladding to match means when viewed directly from the front, its side elevation visually merges with the existing gable behind. The property has utilised its Class B Permitted Development rights to add two other flat roof dormers to the property and as such this does not appear incongruent within the street scene.

By virtue of the siting of the property, it is considered that there will be views of the proposed dormer window from the street and full views of the extension from the beach. In the case of the extension it is to the rear of the property and both extensions are smaller in scale than the host dwelling, they are therefore considered subservient.

The proposed development is not thought to have a significant impact upon the established character, or spatial pattern of the locality. The design and style are not considered to have a harmful impact on the

established character of the host dwelling as it will remain a two-storey detached dwelling.

Having regard to the design and visual amenity, the proposal accords with D DM1 and D DM4(a) (b) of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

As a result of the siting of the development allowing a appropriate separation distance to neighbouring dwellings the proposed development is not considered to have any significantly harmful impact upon residential amenities of these dwellings. Additionally, the extension meets with the 45-degree rule for rear extensions. Although a 10m rear garden space will not be retained, this will not have a negative impact on being overbearing or overshadowing as the property backs on to the shoreline.

The proposed development is not considered to result in any significant loss of privacy to occupiers of neighbouring dwellings. The forward most dormer to the western roof plane has been built without obscure glazing, which is not ideal as policy attempts to limit side facing windows which could raise negative impacts from overlooking either now or for future occupiers. To overcome negative impacts, this window will be conditioned to be replaced with obscure glazing and fixed shut below 1.7m. All other fenestration faces the shoreline as such no views other than those already achievable will be obtainable.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

DRAINAGE

The property is situated within Flood Zone 3 and within the Lidsey Treatment Catchment Area, and concerns have been raised by the Parish. ADC Engineers have commented that surface water drainage needs to be carefully considered and fully investigated. To demonstrate that the surface water drainage meets with current demands the recommendations of winter groundwater monitoring and infiltration testing will be applied so that the development does not increase flooding elsewhere in accordance with policy W DM1 (3) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 approved shall be carried out in accordance with the following approved plans;

- Location Plan
- Proposed Block Plan
- Existing Plans 03b

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 and Part M of the Arun Design Guide.

- 2 The most northerly dormer window to the western plan of the roof, hereby approved shall be replaced to have non-opening below 1.7m from FFL and fully obscured windows within 3 months of the date of this decision. The windows shall be retained as obscure glazed/non-openable in perpetuity.

REASON: in the interests of protecting the privacy of neighbouring properties in accordance with policies D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 Within a period of 6 months from date of approval, details of the proposed surface water drainage scheme should be 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. 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 policy W DM1 (3) of the Arun Local Plan.

- 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/rainfall intensity (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/rainfall intensity. 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 at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's 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.