

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

REF NO: M/122/17/HH

LOCATION: 18 Tudor Close  
Middleton on Sea  
PO22 6DN

PROPOSAL: Two storey side/front extension & first floor dormer to side elevation.

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| <b>SITE AND SURROUNDINGS</b> |
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|                                       |                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | As above.                                                                                                                                                                                                                                                                                                       |
|                                       | The proposed extension measures approximately 6.5m deep, 4.5m wide and 5.9m high (max). The proposed dormer roof extensions in the proposed extension measure approximately 2m wide and 2.2m high. The proposed dormer roof extension in the existing roofslope measures approximately 2.5m wide and 2.6m high. |
|                                       | The proposal also includes the replacement of the garage.                                                                                                                                                                                                                                                       |
|                                       | Materials would match the existing property.                                                                                                                                                                                                                                                                    |
| 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 of the property is open plan and to the rear there is a 2m high timber fence.                                                                                                                                                                                                                         |
| SITE CHARACTERISTICS                  | The application site comprises a detached chalet property with dormer window extensions in the roof. To the rear there is an existing rear extension. The property is constructed of brick, render, tile hang and tile roof.                                                                                    |
| CHARACTER OF LOCALITY                 | Predominantly residential characterised by detached dwellings of varying design.                                                                                                                                                                                                                                |

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| <b>RELEVANT SITE HISTORY</b> |
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|           |                                                                  |                                  |
|-----------|------------------------------------------------------------------|----------------------------------|
| M/114/00/ | Garage and porch extension, new roof with first floor additions. | ApproveConditionally<br>15-01-01 |
|-----------|------------------------------------------------------------------|----------------------------------|

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

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

### CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineer recommends a condition to any permission in relation to surface water drainage.

Southern Water recommend informatives to any permission

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted. However the extension is largely on a footprint previously taken by the garage so the drainage condition is not considered reasonable or necessary. informative included on any planning 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 |
|------|-------------------------------------------|

**POLICY COMMENTARY**

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. There is currently a six week period of consultation on modifications to the plan which is due to end in mid-February.

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

**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 Parish Council are not preparing 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 considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

#### OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

#### CONCLUSIONS

The application site is situated within the built up area boundary where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed side extension would incorporate the replacement of the garage and the erection of a two storey side extension. The extension extends approximately 1.6m forward of the front elevation of the main house and would be sited approximately 1m to 2m from the side boundary to the east. The proposed extension retains the same size rear garden and although extends to the front would be sited approximately 11m from the front boundary. The proposed extension would be approximately 0.6m below the ridge height of the main house.

Materials would match the existing property.

The proposed extension has been designed to reflect the character of the existing house including bonnet hip roof and dormer window extensions. The proposed dormer extension in the existing roofslope matches the existing dormer extension and sits well within the roofslope. It is considered that the proposed development would appear subservient to the existing main house. The proposal will still retain an openness to the frontage of the property and is set in from the side boundary in line with the established character of the area and the extensions do not appear as unduly dominant in the wider area.

Whilst the proposed extension will be visible from the road it is considered that the proposed development is not unacceptably harmful to the character and appearance of the host property or the wider area.

Given the siting of the proposed development and separation distance to the property to the south, No.19, it is not considered the proposed development will be unacceptably harmful to the amenity of occupiers of No.19. With regard to No.1 the proposed development is in closer proximity. There are no windows in the side elevation of the proposed extension facing No.17. In addition, the two proposed dormer windows face the front and rear and although the rear dormer window would provide some overlooking of the rear garden of No.19 this is not considered sufficiently harmful to merit refusal on this ground. The proposed dormer in the existing roofslope faces No.17 however, the application makes clear this window will be obscure glazed and high level opening only, a feature that can be secured by a suitable condition. In addition a condition can be imposed to control any future windows on this part of the side elevation. As such there is no loss of privacy to the occupiers of No.17. Furthermore, the proposed extension does appear unduly dominant upon the occupiers of No.17 and will not lead to a loss of daylight and outlook.

Therefore, the proposed development will not be harmful to the amenity enjoyed by the occupiers of the adjoining properties.

Although the garage will be removed there is sufficient off street parking available and there are therefore no parking implications arising from the proposed development.

In summary, on balance, when considering the scheme as a whole the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the visual or residential amenity. As such it complies with adopted planning policies in the Arun Local Plan 2003 and the Middleton on Sea Village Design Statement. 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

- 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 plan, site plan Rev A, existing ground floor plan, existing first floor plan, existing elevations, proposed elevations Rev B, proposed ground floor plan Rev A,

proposed first floor plan & existing and proposed roof plan .

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

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The proposed dormer windows in the side elevation of the existing building facing No.17 Tudor Close shall at all times be glazed with obscured glass and only have high level opening above 1.7m above floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 No windows on the first floor of the east side elevation (other than that shown on the plans hereby approved) of the extension hereby permitted which adjoins the side boundary with No.17 Tudor Close, shall be constructed without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 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.

- 7 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).

- 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)".