

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

REF NO: M/129/18/HH

LOCATION: 5A Old Point
Middleton-On-Sea
PO22 7RY

PROPOSAL: Replacement Summer House

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Removal of an existing Summer House and replacement with a larger structure to a width of 7.7m, depth of 3.5m and height of 2.8m giving a total area of 27sqm, and increase of 20.5sqm. There would be a small area of hardstanding to the front of the structure and the roof would extend out over this for 1m to form a canopy.

RESIDENTIAL DEVELOPMENT N/A
DENSITY (NET)

RELEVANT SITE HISTORY

M/68/18/DOC	Approval of details reserved by condition imposed under M/34/18/HH relating to condition 3-schedule of materials & finishes.	DOC Approved 25-07-18
M/34/18/HH	Replace all double glazed windows, exterior alterations & new porch to front door on front elevation.	ApproveConditionally 10-05-18

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council
No objection

CONSULTATION RESPONSES RECEIVED:

N/A

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary
Middleton on Sea Estate Area of Character 9

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM4	HER DM4 Areas of Special Character
SDSP2	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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CONCLUSIONS

PRINCIPLE

The application 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 HER DM4 of the Local Plan.

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 HER DM4 states the requirements for development within Areas of Character as being works which make positive contributions to the special character of the area along with new developments preserving and where possible enhancing the areas.

Middleton does not have a 'made' Neighbourhood Development Plan, however, it does have a Village Design Statement, which has been a consideration during the determination of this application.

SITE

The main dwelling is a large two storey detached property located within a group of 3 accessed via a shared driveway off of Old Point. The rear garden measures approximately 418sqm therefore a 27sqm summer house is considered a very modest development and addition to the site.

The property directly to the rear, 5 Sea Close, is situated approximately 24m from the rear boundary fence of this site. The adjacent property to the east, 5 Old Point, is nearer the boundary at approximately 1.5m and 12m in a north-easterly direction to the proposed summer house. However, there are a number of large trees and shrubs within the gardens of both of these properties to provide sufficient screening.

DESIGN & VISUAL AMENITY

The existing boundary treatment of 1.8m close boarded timber fencing will remain unchanged. The proposed summer house would be visible for 1m above this at garden level. The materials of the external walls would be constructed from 50mm vertical cedar slats with 5mm gap, the flat roof would be grey glass reinforced plastic (grp) with grey powder coating. The bifold doors and window in the east elevation (overlooking the host garden) would also be grey powder coated.

The design and materials are considered to be appropriate for the setting and have a minimal impact to users and occupiers of nearby properties. The proposal replaces an existing summer house and therefore there is no increased risk of loss of privacy or potential for unacceptable noise and disturbance.

Designation of Areas of Character does not prevent development from taking place. All development should respect and retain the individual characteristics of an area, or make a positive contribution if a new development is proposed. The Middleton on Sea Village Design Statement states that designs of new buildings must comply with the Statement and Arun District Council's policy for the designated Area of Character. It goes on to say that development should be in harmony with the local context and be of the highest quality.

Therefore it is considered that this proposal would not have a detrimental impact on the neighbourhood or Area of Character in accordance with policies D SP1, D DM1 and HER DM4.

RESIDENTIAL AMENITY

The summer house is a very modest addition to the site given the size of the plot and the host dwelling. Its impact on the area would be minimal, it is not considered to be out of scale and the density of the proposal would be sympathetic to the site. In this regard the proposal is deemed to comply with policy D DM1.

SUMMARY

The replacement summer house is deemed to accord with relevant local 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

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

DRWG No 5APSH02d Rev D 26.10.18 Proposed site plan
DRWG No 5APSH03B Proposed replacement summer house

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

- 3 **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.