

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

REF NO: M/129/21/HH

LOCATION: 34 The Layne
Elmer
PO22 6JL

PROPOSAL: Removal of existing side extension & erection of two storey side extension & canopy roof over existing front projection

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Demolition of existing flat roofed side extension with the erection of a two-storey side extension with a flat roof measuring approximately 2.5m in width running front to back.

REPRESENTATIONS

Parish Council - No objection.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built Up Area Boundary
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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

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, side extension should also be subservient to the host dwelling and respect the space between buildings.

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 proposed extension will have the same ground floor footprint as an existing single storey side extension, the first floor addition above will be set back from the eastern elevation on the ground floor by 1.6m. The amount of habitable space created is thought to be appropriate for its intended use when compared to the host dwelling and the plot in which it sits.

It is proposed to construct the extension with render and tiles to match although a new weatherboarding will be added to the property. Other examples of this weatherboarding can be found on other properties on the street and as such it is considered well integrated.

Other examples of this type of extension can be found in the immediate area, as such the flat roof design is considered in keeping with the street scene.

Policy D DM4 states that extensions should be subservient to the main building and design guidance states that extensions to the first floor must not close important gaps in the street scene which could lead to a terracing effect. There were concerns relating to the extensions subservience to the host dwelling and the terracing effect to the first floor when viewed in relation to the dormers to the side of no 32. During the course of this application amendments were requested for alterations to the design of the extension, these amendments now set the first floor back to be flush with the existing first floor, rather than stand forward of it as originally designed. This has had the effect of making the extension appear subservient to the host dwelling and maintains the spatial character of the area, the property will now be viewed from all points in the street as a detached dwelling.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The proposed extension is not thought to have any negative impacts from overlooking. Windows introduced to the first floor either face to the rear gardens or towards the public realm. Views into the neighbour's garden to the south will be largely blocked by a pitched roof single storey extension to the

rear of their property.

In terms of being overbearing or overshadowing, the proposed extension does not break either the front, rear or side existing building lines. A separation gap of just over 1m has been maintained between the extension and the properties boundary in accordance with policy D DM4 (d).

The side extension does not meet with some of the design guide criteria in that it is not positioned away from the boundary by 2m at first floor level and that it protrudes within the 70-degree line running up from the boundary. It does however have a lower ridge height and amendments have been made to the application to position the first-floor eastern elevation 1.6m back from the ground floor, as such it is considered acceptable.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) 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 Plan Sheet 1
- Proposed Plans and Elevations Sheet 2 a
- Proposed Ground Floor Plan Only Sheet 2

This approval relates to the Ground Floor Plan shown on Sheet 2 and the First floor plans and Elevations shown of Sheet 2 a, although a small inconsistency can be seen to the northern elevation on sheet 2 a. The inconsistency shows the previous scheme.

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.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.