

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

REF NO: M/132/17/HH

LOCATION: 1 Hadley Close  
Middleton on Sea  
PO22 6PG

PROPOSAL: Single storey rear extension to existing garage (resubmission following M/69/17/HH).

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                                                                                                                                         |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks to add a single storey rear extension to an existing garage.<br>The existing garage currently measures around 2.7m high, 5.5m wide and 5.5 long. The proposed extension would be approx. 10m long whilst retaining the existing height and width. |
| SITE AREA                  | N/A                                                                                                                                                                                                                                                                     |
| TOPOGRAPHY                 | Predominantly flat                                                                                                                                                                                                                                                      |
| TREES                      | None affected by the proposed development.                                                                                                                                                                                                                              |
| BOUNDARY TREATMENT         | The front of the property is open plan with vehicle access to a double garage. The rear boundary has sufficient trees and hedging and a fence which continues around the side boundaries at approximately 1.8m in height.                                               |
| SITE CHARACTERISTICS       | The site consists of a detached two storey property with a single storey garage to the side. The property is constructed of brick and cladding with a tile roof.                                                                                                        |
| CHARACTER OF LOCALITY      | The area is populated with residential two storey dwellings. The properties vary in design but are generally all of similar size.                                                                                                                                       |

**RELEVANT SITE HISTORY**

|            |                                                                                                     |                     |
|------------|-----------------------------------------------------------------------------------------------------|---------------------|
| M/69/17/HH | Demolition of existing double garage & erection of two storey & one storey side to rear extensions. | Refused<br>06-10-17 |
|------------|-----------------------------------------------------------------------------------------------------|---------------------|

It is noted this application is a resubmission of M/69/17/HH.

**REPRESENTATIONS**

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Middleton Parish Council provided no objection to the proposed works.  
No representation from nearby occupiers.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

#### CONSULTATIONS

Engineers (Drainage)

Engineers (Drainage)

Southern Water Planning

#### CONSULTATION RESPONSES RECEIVED:

None

#### COMMENTS ON CONSULTATION RESPONSES:

Comments noted

#### POLICY CONTEXT

Designation applicable to site:

Tree Preservation Order

Built up Area

#### DEVELOPMENT PLAN POLICES

##### [Arun District Local Plan \(2003\):](#)

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

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

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

##### [Main Modifications of the Local Plan \(April 2017\):](#)

Middleton-on-Sea Village Design Statement by Middleton PC

#### PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

#### SUPPLEMENTARY POLICY GUIDANCE:

|     |                                                        |
|-----|--------------------------------------------------------|
| MDS | Middleton-on-Sea Village Design Statement by Middleton |
|-----|--------------------------------------------------------|

## 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. The plan is subject to consultation until February 23rd 2018.

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 PC does not have a made neighbourhood plan.

## DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

### PLANNING

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

### PRINCIPLE

The site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

The application is a resubmission to M/69/17/HH, and deletes the second storey proposed by M/69/17/HH.

### DESIGN AND VISUAL AMENITY

The proposed single storey extension is situated to the rear of the existing garage and as such will not be visible from the street scene. The materials used would match the existing and therefore it is considered that the development will not have any unacceptable adverse impacts upon the spatial pattern or character of the area and accord with policy DEV19 of the Arun District Local Plan.

The proposed extension by virtue of its design and location is considered to appear subservient to the main dwelling and therefore accord with DEV19 of the Arun District Local Plan.

### NEIGHBOURING RESIDENTIAL AMENITY

The height of the proposed extension is the same as the existing garage and sits just slightly above the fence line. Whilst the proposed extension sits quite far back into the rear garden, a reasonable sized garden area is still retained.

Three new windows will be installed to the western side of the proposed extension which look into the property and one window to the south. The window at the south will overlook the rear of garden. There is a separation distance of around 4m to the southern boundary line and there is also sufficient planting, whilst the distance from the proposed extension to the boundary line on the west will be around 9m. This is considered to be sufficient to prevent any adverse impacts upon neighbouring properties.

Although the extension sits at quite a depth into the garden, it is considered given the height and location of the proposed extension and windows it would not have a harmful impact upon the outlook or privacy of the adjoining occupiers and therefore not considered to give rise to any unacceptable adverse overbearing, overshadowing and overlooking impacts to the neighbouring residential amenity and thus in accordance with policies GEN7 and DEV19 of the Arun District 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

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
  - Block plan
  - D1 :Proposed north elevation
  - D2: Proposed south elevation
  - D3: Proposed east elevation
  - D4: Proposed west elevation
  - D5: 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 of the extension hereby permitted shall match in colour and texture those of the existing building(s).

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

- 4 **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.