

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

REF NO: M/137/21/HH

LOCATION: 3 North Avenue
Ancton
Middleton-On-Sea
PO22 6HF

PROPOSAL: First floor roof extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION First floor extension above an existing front outrigger on a two storey property in a suburban area located in an urban area characterised by detached, semi detached and terraced dwellings displaying largely uniform building lines.

CONSULTATION RESPONSES RECEIVED:

Middleton Parish Council - No objection.

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOCAL PLAN

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)
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide. 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.

There is no Neighbourhood Plan in this area.

DESIGN AND VISUAL AMENITY

The extension is located to the front of the site and is visible from the street scene. The street scene in this area is a row of houses facing the another row of houses beyond the access road.

The extension is a roof extension continuing the front outrigger upwards to form a new room and will not harmfully disrupt the existing relationship with neighbouring building lines.

The roof would be pitched, although set around 0.8m below the main ridge at a right angle to the main roof. It is considered that the siting, scale and design of the proposed extension is such it would be in a subservient and well integrated addition.

Section M of the Design Guide states 'Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form.' The proposal complies with the design guide being of appropriate scale to the host dwelling.

Materials which closely match the facing brickwork and roof tiles of the existing house which will assist with ensuring the proposal appears integrated with the development on site.

It is not considered to result in adverse harm upon the character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan, the Design Guide.

RESIDENTIAL AMENITY

The extension will not breach the 45 degree rule from the neighbouring property no. 5 North Avenue which will ensure there is no adverse overbearing impact or overshadowing. The Council uses the 45 degree rule as a rule of thumb drawing a line from the nearest window at 45 degrees and ensuring that new development does not encroach upon this line.

The extension will be glazed to the front elevation although due to its siting and with its first floor position alongside other existing first floor windows in the building is not considered to result in adverse overlooking of 7 and 9 North Avenue

The proposed development is not considered to result in adverse harm upon amenity and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies D DM1 and D DM4 and the Arun Design Guide 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.

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 - 0053/LOC, 0053/04/A, 0053/03/A, 0053/BLK.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun 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.