

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

REF NO: M/141/18/HH

LOCATION: 44 Sea Way
Middleton on Sea
PO22 7SA

PROPOSAL: Single storey rear addition & 2 No. new windows on ground floor west elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is to construct a flat roofed extension 2.8 metres in height incorporating a central rooflight to 2.4 metres in height which would project 4.8 metres from the rear elevation extending behind the rear elevation by 9.6 metres.

The dwellinghouse currently consists of a traditional thatch roofed 2 storey cottage with a rear projecting modern flat roofed exnsion making an L shaped building. The proposed new extension would fill in part of the L-shape but would have no impact on the appearance on the traditional character of the dwelling when viewed form Sea Way at the front.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council
No objection.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM4	HER DM4 Areas of Special Character
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD7	Middleton on Sea Village Design Statement
SPD8	Areas of Special Character

CONCLUSIONS

The dwellinghouse is located within the built up area of Middleton where the principle of development is acceptable in accordance with policy SD SP2 of the Arun Local Plan subject to other policies relating to this type of development which in this case are considered to be policies D DM1 aspects of form and design quality, D DM4 extension and alterations to existing buildings of the Arun Local Plan, Area of Character Supplementary Design Statement and the Middleton Village Design Statement.

The main issues in this application are design & visual amenity and the residential amenity of neighbouring properties in the form of loss of daylight, sunlight, privacy and overbearing impact on habitable room windows of neighbouring properties.

DESIGN AND VISUAL: AMENITY

The proposed extension development is at ground floor only and entirely to the rear of the dwelling house which is set back 18.5 metres from a 2 metre front boundary treatment. As such it is clearly subservient to the existing dwellinghouse and would not have any visual impact on the street scene or the character of the area.

The proposed extension would complement in style the existing rear flat roofed extensions, provide additional modern accommodation within the dwelling and is considered to sympathetically relate to the existing dwelling in mass, form, scale and materials.

The proposed extension is considered to comply with policies D DM1 & D DM4 of the Arun Local Plan and the Middleton On Sea Village design statement with respect to design and visual amenity.

AREA OF SPECIAL CHARACTER

The property is located within the Middleton on Sea Area of Special Character which seeks to protect the open character of the estate and retain boundary treatments, verges etc.. The proposed development would not have an impact on the street scene or any boundary treatments and consequently would not impact any policy issues raised in policy HER DM4 - Area of Character or the Supplementary Planning Document Areas of Character with which it complies.

RESIDENTIAL AMENITY

The proposed extension would have a flat roof height of 2.4 metres in height and would be located in excess of 2.6 metres from a 2 metre boundary fence between the extension and the neighbouring property. No windows are proposed in the west facing side elevation therefore no significant loss of privacy would occur nor would the impact of the extension above the boundary fence cause a significant loss of light or overbearing impact on the neighbouring property. No other impacts on properties to the east side, north(rear) or south (front) would occur as a result of the development.

The proposed extension is considered to comply with policy D DM1, D DM4 of the Arun Local Plan and the Middleton on Sea Design Statement with respect to the residential amenity of the application property and neighbouring properties.

The proposed extension to be acceptable and comply with the relevant policies in the Local Development Plan and 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 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;

Proposed Block Plan - dwg.no. 4 dated Oct 2018
Proposed ground floor plan - dwg.no. 3a dated Oct 2018.
Proposed elevations - dwg.no. 5 dated Oct 2018.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy of the D DM1 and D DM4 of the Arun 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 D DM1 and D DM4 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.