

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

REF NO: M/152/21/HH

LOCATION: 3 Juniper Close
Middleton-On-Sea
PO22 6SD

PROPOSAL: Erection of single storey rear extension, garage conversion to habitable use and alterations to fenestration/openings following demolition of existing rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks the conversion of the attached garage and a single storey pitched roof rear extension.

RELEVANT SITE HISTORY

M/131/21/CLP	Lawful development certificate for the proposed replacement of rear conservatory with single storey extension and conversion of garage to habitable space.	PP Required 09-12-21
--------------	--	-------------------------

REPRESENTATIONS

Middleton-on-Sea Parish Council - No Objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

POLICY CONTEXT

Designation applicable to site:
TPOs
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)
TSP1	T SP1 Transport and Development

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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.

Policy T SP1 ensures development of the transport network so that it reduces the need for car travel, promotes green infrastructure, protects the major road network, maintains appropriate levels of parking standards and requires applications to consider and design for development in relation to transport infrastructure.

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, a rear extension should not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

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 extension will measure approximately 3m long and be built full width across the back of the property. The garage will be converted into a study and utility area. This proposal was initially submitted as a Certificate of Lawful Development but refused as it required planning permission based on the fact that the garage is conditioned to remain for the parking of cars in perpetuity.

The size, scale and use of materials used in the construction of the rear extension, would be commensurate to, and be in keeping with the host dwelling and provide an extension which will be subservient to the host dwelling. Glimpses of the rear extension would be visible from the land to the west of the property, through which a footpath runs. Given that extension is subservient to the host dwelling it will also not adversely impact the views from the footpath.

The conversion of the garage and the replacement of the garage door with a 3 pane casement window complies with policy in that it will be subservient to, and visually integrated with the host dwelling.

The conversion of the garage and the rear extension do not compromise the established spatial character of the area.

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 property, a detached dwelling only shares a boundary with a neighbour to the east. To the rear is a footpath and to the west is open amenity space.

The rear extension maintains the existing separation gap between its side boundaries, and the extension adheres to the 60-degree rule for single storey rear extensions. A rear garden length of 6.5m will be retained, this is lower than the Design Guide recommends; however; as the property does not immediately back onto another property, this is not a reason to warrant refusal of the application. The extension will not adversely impact neighbouring occupiers by a means of being overbearing or overshadowing.

As the extension and the conversion are to the ground floor no negative impacts from overlooking are foreseen.

By virtue of not being overbearing, overshadowing and overlooking the proposed extension accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

PARKING

The conversion of the garage is in conflict with condition 16 of M/26/90 which stated that 'The buildings shall not be occupied until the parking spaces, turning facilities and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.' This was to ensure 'adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways.'

The property can accommodate 2 vehicles in the front drive of the property, giving an existing total number of parking spaces of 3 including the garage. The parking SPD adopted in 2020 by Arun states that a 3 bedroom house in this location should expect to have 2 car parking spaces. In this instance, as the expected parking allowance of 2 spaces can still be accommodated after the conversion of the garage the conversion is considered acceptable as it accords with other policies. It should be noted that although on this occasion the expected parking allocation could still be met on site, should this not have been the case then the condition 16 of M/26/90 would have been upheld.

The conversion of the garage accords with policy T SP1 and the Arun Parking Standards SPD and as such, is acceptable.

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;

- Location Plan L01
- Block Plan B01
- Proposed Elevations A102
- Proposed Floor Plans A 104

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 the Arun Design Guide.

- 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 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.

- 5 **INFORMATIVE:** Surface water drainage should be designed and constructed to comply with building regulation requirements and have regards to the properties location within the Lidsey Treatment Catchment Area. Infiltration should be fully investigated, if however it is found that infiltration does not work controlled discharge to ordinary watercourse will be required. The applicant should be aware that any proposals to discharge flows to a watercourse require Ordinary Watercourse Land Drainage Consent prior to works.

Arun District Council requires 3m clearance between any structure and the bank of an ordinary watercourse and 3m clearance between any structure and a culverted ordinary

watercourse. This is to ensure that no construction will occur that will limit the current or future landowners ability to conduct maintenance to the watercourse in line with their responsibilities under the Land Drainage Act 1991.