

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

REF NO: M/16/18/HH

LOCATION: Perranwell
6 Sea Way
Middleton on Sea
PO22 7SA

PROPOSAL: Garage conversion to guest bedroom/elderly relative annexe.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of an existing garage in the rear garden to a self contained guest bedroom/elderly relative annexe. The proposal is to create a bedroom,bathroom and 'living space' internally and make two external alterations inserting a velux into the roof above the shower and inserting 3.6 metre wide bi fold doors into the northeastern elevation of the garage facing into the rear garden.
SITE AREA	0.1 hectares
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.8 metre high close boarded fencing and landscaping between 2 - 6 metres in height along back garden boundary.
SITE CHARACTERISTICS	A chalet bungalow with rooms in the roof. It is located on a long plot 84 metres in length with a garden area 25 metres in length to the front of the dwelling including the main outdoor amenity space for the dwelling. The rear garden is 50 metres in length triangular in shape, tapering from the rear elevation of the property and driveway to the side, to a point to the north of the dwelling. It contains a number of outbuildings including a detached garage subject of the current application.
CHARACTER OF LOCALITY	A residential area close to the beach front in Middleton with characterised by one and two storey dwellings on large garden plots of various designs.

RELEVANT SITE HISTORY

M/75/74	Porch	Approve 11-12-74
M/139/17/CLP	Lawful development certificate for a proposed garage door to glazed door.	change of PP Required 08-02-18

M/12/12/	Demolition of sub standard chalet bungalow & detached garage and erection of replacement chalet bungalow & detached garage.	ApproveConditionally 03-04-12
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

No objection subject to a condition preventing the creation of a separate unit of accommodation as a result of the garage conversion.

Middleton on Sea Association - No objection subject to condition set out above.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/a

POLICY CONTEXT

Designation applicable to site:

A O S CHARACTER

ADOPTED LOC PLN

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

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

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

AREA1 Areas of Special Character

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

SD SP2 Built-Up Area Boundary

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

HER DM4 Areas of Special Character

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 PC
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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 Main Modifications to the Arun Local Plan (2011-2031) were out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 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 does not currently have a Neighbourhood Plan in progress.

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 within the built up area boundary where development is acceptable in principle subject to normal development control criteria being satisfied such as design, visual & residential amenity and highway safety/parking.

RESIDENTIAL & VISUAL AMENITY:

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design & layout that do not have an unacceptable adverse impact on adjoining occupiers.

The proposal does not involve any extensions or new buildings, only alterations of the existing garage. The alteration of the garage will not be visible in the streetscene or affect the front appearance of the dwelling and the area of special character.

The proposal is considered to accord with Policy GEN 7 (ii), policy AREA1 - Areas of Special Character of the Arun District Local Plan and the Middleton Village Design Statement with respect to its neutral impact on the surrounding area, street scene and local character.

RESIDENTIAL AMENITY.

The proposed annex would be located in the long back garden of the applicant's property accessed by a driveway to the side of the property with neighbouring properties having long back gardens and substantial landscaping above 1.8 metre close boarded fencing along the shared boundaries. The most affected property would be 4 Sea Way. The boundary treatment would restrict any views toward the ground floor annexe and there would be a separation distance of 15 metres from the new bi fold doors to the rear elevation of 4 Sea Way. It is considered that the proposed change of use and alterations would comply with policy GEN 7 (iv) of the Arun District Local Plan as it would not have any significant adverse

impact on the neighbouring properties.

The proposed use of the annex is considered to be acceptable subject to it being restricted by condition to be occupied solely for purposes ancillary to the occupation and enjoyment of the main dwelling. This will prevent it from ever becoming a separate dwelling.

There is considered to be sufficient parking available on and off street for the needs of the dwelling and annexe.

SUMMARY:

It is considered that the application complies with all development plan policies and it is therefore recommended that planning permission be granted 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;

Dwg.no. 3 Proposed Plans, Section and Roof dated 12/17

Dwg.no. 4 Proposed Elevations dated 12/17

Dwg.no. 5 Site Plan dated 1/18

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan and the Middleton Village Design Statement.

- 3 The annex accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 6 Sea Way as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.