

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

REF NO: M/16/20/HH

LOCATION: 7 Sea Close
Elmer
Middleton-On-Sea
PO22 7RU

PROPOSAL: Single storey rear extension and conversion and extension to existing roof space to habitable use with 2 side dormers and 4 No. rooflights and Juliette balcony

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to construct a single storey infill extension and a first floor projection. Furthermore, it seeks to convert the roof space to habitable use by way of 2No. dormers, 4No. rooflights and a Juliette balcony.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

DESIGN AND VISUAL AMENITY

The host dwelling is sited in an area with a mixed character, populated by dwellings within individual, unique characters, utilising a variety of materials. The proposed development is not considered to result in any significantly harmful impact upon the character of the locality. This is due to the design of the proposed development being sympathetic in its appearance to the host dwelling. The modest scale of the single storey infill extension is considered to allow it to have no significantly harmful impact upon the character of the host dwelling or its locality. Additionally, the loft conversion, which includes alteration to the existing dormers and insertion of rooflights, is not considered to result in any detrimental harm to the character or appearance of the host dwelling.

The proposed first floor extension to the host dwelling projects a maximum of 5.75m from the Southern roof slope of the host dwelling, with a width of 7.3m. The ridge height of the extension of this element of the application is 0.4m lower than that of the host dwelling. As a result of its overall scale, it is not considered to represent a subservient addition to the host dwelling, however, due to its design and form, it is considered to be well integrated with the host dwelling. This is added to further in that the roof has been designed as to allow the roof slope angle to match that of the host dwelling.

Whilst the proposed development is considered to conflict with D DM4(b) of the Arun Local Plan, it is deemed to be in accordance with D DM1 and D DM4(a) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overshadowing or overbearing impact upon the occupiers of neighbouring dwellings. This is predominantly as result of the scale of the built form of the proposal, its siting, and the resultant separation distance from the boundaries of the application site. With regards to potential for loss of privacy to the adjacent occupiers, the proposed development is not considered to provide any views that are not currently available from the host dwelling at current. This is because whilst the dormers are altered to be larger, the views remain the same.

However, the proposed balcony, on the South-West elevation of the proposal will provide views to the South-East, South-West and North-West. To the South-West, the views are within the application site, to the North-West these are towards the street. To the South-East, there is potential for a overlooking of the private amenity area of this adjacent dwelling (5 Old Point), as such, a condition requiring obscure glazing along this elevation of the balcony will be applied.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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

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 Site Plan - 20-005 - P02 - Feb 20
 - Proposed Plans - 20-005 - P03 - Feb 20
 - Proposed Extensions - 20-005 - P03 - Feb 20
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 Prior to use of the balcony, 1.8m high permanently fixed, obscure glazed panels shall be installed on the South-Eastern side of the balcony on the South Western elevation and shall

be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy 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.