

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

REF NO: M/21/15/HH

LOCATION: 58 Southdean Drive
Middleton-on-Sea

PROPOSAL: Enlarge storage room on roof, raise parapet walls at second floor level & install rooflight on north elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

At ground floor it is proposed to:

1. At ground floor level to make relatively minor alterations to this dwellings. These are the removal of a single storey element on the front of the east side wall of the dwelling and the infilling of side windows and a door, with some limited internal alterations.

2. At first floor level to infill 2 side windows and make some limited internal alterations.

3. At roof level to replace the existing flat roofed store element (4.4m x 4.4m and 1.2m above parapet wall level) with a larger room on the roof. This would measure 6.1m in width by 6.8m in depth and 2.1m above parapet wall level. This extension would have a large rear glazed elevation and 2 smaller high level front windows. Accommodation would be a 4th bedroom with en-suite and also a small area of kitchenette. Additionally and in front of the extension there would be a glazed staircase and landing. The extension would have no side windows.

4. The existing parapet wall around the top of the main dwelling is to be raised by 0.3m.

5. There would be no access to the flat roof of the dwelling from the new 4th bedroom.

SITE AREA

The site area is approximately 0.08 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The immediate area is a relatively low density residential one and has been developed with a mixture of two-storey dwelling types.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary is a low wall of some 500mm, with some front shrub planting. The side boundaries are hedging with some limited specimen trees which are of no particular significance. Side boundaries in the area of the house are panel fencing and a brick wall. Rear side boundaries are mature hedging/shrubs.

SITE CHARACTERISTICS

The site is occupied by a two-storey dwelling. the existing dwelling was rendered in white, although the render had been removed at the time of the site visit leaving a brick and blockwork finish. The dwelling has a flat roof with parapet wall hiding this. It also has a small flat roofed store in the centre of the roof area. The dwelling has an attached side garage (being rebuilt at the time of visiting) and a driveway capable of accommodating 4 or more cars.

CHARACTER OF LOCALITY

The locality is characterised by relatively low density residential development in a mature landscaped setting and has mainly been developed with a mixture of mainly two-storey dwellings.

RELEVANT SITE HISTORY

M/105/11/	Demolition of existing dwelling & construction of new dwelling, garage & garden	ApproveConditionally 29-02-2012
M/8/56	Dwelling house & garage	Approve 09-05-1956
M/8/56/A	Additions	Permit'd Devel 15-03-1961

The previous planning permission M/105/11/ was for the redevelopment of this dwelling. It would have resulted in the erection of a dwelling of modern design with flat roofs not-dissimilar to the existing dwelling. It included substantial areas of curtain glazed walling at the rear and a large 2nd floor roof element.

REPRESENTATIONS

Representations received:

Middleton Parish Council

Middleton Parish Council raises no objection.

1 letter of objection has been received on the ground of impact on outlook, including views, and the impact on the character and appearance of the area.

Comments on Representations received:

The objection is from a dwelling north of the site. Loss of view is not a material planning consideration. Issues of impact on character and appearance of the area will be dealt with in the conclusions section of this report.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

Southern Water raises no objections and makes a comment regarding any sewer found during development.

Comments on Consultation responses:

Southern Water's comment regarding potential sewers can be drawn to the applicant's attention by means of an informative.

The Drainage and Coastal Engineer has no comments on surface e water drainage.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

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 and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy

Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

There is no Made Neighbourhood Plan for Middleton-on-Sea.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1 and D DM4 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in limited change to the appearance of this dwelling, given the location of the extension on the flat roof area.

The proposal is not dissimilar to the appearance of the existing roof element it replaces and is limited in scale in the context of the overall roof area. The extension has a very much secondary appearance and has been sympathetically designed so as to reflect the appearance of the existing dwelling, it is considered to be acceptable visually. There is considered to be no detriment to the street scene or to outlook.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension has no side windows and does not give rise to privacy loss in this sense. The room proposed is a bedroom and the main outlook is rearwards with no access to the roof area. It is not considered that privacy loss results. There is no impact on light, given the central location of the extension. Other alterations do not give rise to amenity impacts.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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 drawings:

Drawing Number 58/001 - Location Plan

Drawing Number 58/002 - Block Plan

Drawing Number 58/010, Revision A - Proposed Ground Floor - Dated 19 Feb 2015

Drawing Number 58/011, Revision B - Proposed First Floor Plan - Dated 23 Feb 2015

Drawing Number 58/012, Revision B - Proposed Second Floor Plan - Dated 23 Feb 2015

Drawing Number 58/013, Revision A - Proposed Roof Plan - Dated 23 Feb 2015

Drawing Number 58/014, Revision C - Proposed North & South Elevations - Dated 23 Feb 2015

Drawing Number 58/015, Revision C - Proposed West & East Elevations - Dated 23 Feb 2015

Drawing Number 58/016, Revision C - Proposed Staircase Section - Dated 23 Feb 2015

Drawing Number 58/017, Revision C - Proposed Section - Dated 23 Feb 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed alterations and extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the alterations and extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or doors or other openings (other than those shown on the plans hereby approved) shall be formed in the elevations of the second floor extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To prevent access to the roof area and thereby to protect the privacy and amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 INFORMATIVE: Southern Water has advised that due to changes in legislation that came into force on 1st October 2001 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public might cross the site or be close to it/affected by development potentially. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW

(Tel: 0330 303 0119 or www.southernwater.co.uk)

- 6 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.