

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

REF NO: M/25/20/HH

LOCATION: 120 Middleton Road
Middleton-On-Sea
PO22 6DB

PROPOSAL: Single story rear extension and detached garage to the front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a single storey rear extension and a detached garage to the front elevation of the host dwelling.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Parish Council - No objection.

Middleton-on-Sea Association - Objection.

- The objection does not relate to the proposed rear extension.
- The proposed garage may result in a precedent being set along the row of houses East of Merry End, to allow them to do similar things.
- The proposal results in harm upon the Area of Special Character.

No representations received from nearby occupiers.

OFFICERS COMMENTS ON OBJECTIONS:

Comments noted. Planning applications are assessed on their individual merits.

CONSULTATION RESPONSES RECEIVED:

None,

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Within Area of Special Character

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
HERDM4	HER DM4 Areas of Special Character
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM4 of the Arun Local Plan. Additionally, the Middleton Parish Design Statement.

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 HER DM4 of the Arun Local Plan relates to applications within Areas of Character. Proposals will be granted subject to the retention of buildings and other features which make positive contributions to the special character of the area, maintenance of an appropriate mix of uses, and where possible, enhance the special character of the area.

DESIGN AND VISUAL AMENITY

The host dwelling is sited within an Area of Special Character which is characterised by open green frontages, with dwellings set back within their spatial plots. As such, consideration of the proposed front garage should consider the context in which it is sited. The host dwelling is bordered by mature foliage, and therefore from the public realm, the application site does not appear to be open, as there would be few available views of the application site. The proposed plans show the hedge bordering the front boundary of the application site as being retained. Resultant of these factors, due to the boundary screening present on the application site, and the bordering sites, the proposed garage is not considered to result in a significantly harmful impact upon the Area of Special Character or the character of the locality.

The proposed single storey extension is sited to the rear of the host dwelling, and such will not be visible within the public realm. The extension is considered to appear well integrated with the host dwelling, as a result of its modest scale and design. Furthermore, the extension proposes materials to match the host dwelling, which is considered to allow the proposal to appear sympathetic in appearance to the host dwelling.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan. Additionally, the proposal is not considered to result in any significant harm upon the character of the Area of Special Character.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significant impact upon the residential amenities of neighbouring dwellings. This is due to the aspect of the development site, and the siting of the proposed development. The garage is sited a significant distance from the openings of neighbouring dwellings in order to mitigate any significant harm. The proposed rear extension matches the eaves height of the host dwelling, and projects approximately 4.9m from the host dwellings South-Western corner. It is not considered to result in any significant impact upon the occupiers of the dwelling to the West, due to its modest scale, the boundary treatment and built form. Furthermore, due to the single storey nature of the proposed development, it is not considered to result in any views that are unavailable from the host dwelling at current.

The proposed development is considered to result 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:

- Block Plan - DRW NO 10A
- Proposed Site Plan - DRW NO 9D
- Proposed Ground Floor Plan - DRW NO 3a
- Proposed Ground Floor Plan - DRW NO 6b
- Proposed Elevations - DRW NO 5a
- Proposed Elevations - DRW NO 7b

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 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity 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.