

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

REF NO: M/27/26/HH

LOCATION: 19 West Close
Middleton-on-sea
PO22 7RP

PROPOSAL: Rear single-storey extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Middleton Parish Council - No objection.

Middleton-on-Sea Association - No objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Southern Water - No objection:

Determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal. Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Drainage Engineers - Objection:

It is proposed to drain surface water on site to a new soakaway which will be located at least 5m away from the building. Permeable paving to all hard surfaces is also proposed. We support this approach in principle, as infiltration is the highest priority in the drainage hierarchy and aligns with Standard 1 of the Non-Statutory Technical Standards for SuDS (NSfS). However, insufficient evidence has been provided to demonstrate that infiltration is a viable solution. It is the responsibility of the applicant or their drainage designer to provide this evidence. Without it, we are unable to assess whether the proposed development would increase flood risk. The applicant has also not demonstrated how they may drain the site if infiltration was later found not to be viable. For this reason, we object to the proposal. The submission of such evidence may also affect the scale and layout of the development. The entire site sits in the future undefended flood risk area. The application has not been accompanied by a Flood Risk Assessment, and product 4 data from the Environment Agency will need to be requested by the applicant and submitted in support of the application. At present, no modelling or supporting evidence; such as ground investigations or drainage plans have been submitted for engineering assessment. In the absence this evidence, we cannot assess if flood risk will be increased by the surface water drainage of

the proposed development. Therefore, this application does not accord with the NPPF as set out above. For this reason, we object to the proposal.

POLICY CONTEXT

Area of Character.

Lidsey LFRZ.

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 and alter to exist builds (res and non-res)
HERDM4	HER DM4 Areas of Character
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site contains a detached two-storey dwelling with an existing rear outbuilding along West Close. This application seeks planning permission for a single-storey rear extension and alterations to fenestration. The works would not be visible from the street scene.

The proposed single storey rear extension would have a depth of 2.5m and a width of 8.7m. It would adjoin the existing rear projection, infilling the area between the main rear elevation and the rear elevation of the existing projection. The extension would feature a crown roof with a maximum height of 3.5m and an eaves height of 2.4m, matching the existing rear eaves height. Part M of the Arun Design Guide (ADG) states that rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space, and exploit opportunities for innovative and contemporary design where appropriate. The rear extension would comply with the guidance, which states that projections of up to 3.3m are generally acceptable. The proposed extension would extend as far as the existing rear projection and would comply with the guidance depth for rear extensions outlined within the ADG. As such, the extension is acceptable, particularly as it would maintain a substantial separation distance of approximately 29m from the rear boundary fence. Therefore, the extension would not result in harm to visual amenity.

The proposed alterations to fenestration would include the blocking up of 1 no. door and 7 no. windows within the flank elevations of the host dwelling, as well as the reduction in size of 2 no. windows within the north flank elevation. These alterations are acceptable in terms of visual amenity. Furthermore, no changes are proposed to the front elevation, which is visible from the street scene.

The proposal would not result in harm to the character and visual amenity of the dwelling or the surrounding area, in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4 and the ADG.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states that householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, taking into account the positioning of neighbouring buildings and responding to existing elevations through the size and positioning of doors and windows.

The proposed single storey rear extension would extend in line with the flank elevations and would be set in 4.5m from the southern side boundary. Given this relationship, there would be no additional overbearing or overshadowing impacts when compared to the existing situation. To the north, no additional impacts would arise. There is a separation distance of approximately 29m to the rear boundary, and as such, there would be no additional impacts on neighbouring properties to the rear.

Alterations to fenestration mainly relate to the removal of side windows. To the south, all side windows would be removed, and to the north, only 1 No. first-floor window would remain, as existing. As such, there would be no increased overlooking impacts on neighbours. Fenestration to the rear would be at ground-floor level and would provide views not significantly different from those currently available from existing fenestration.

The proposal therefore accords with ALP policies D DM1 and D DM4 and would not result in harm to neighbouring amenity.

HERITAGE

The property is located within the Middleton-on-Sea Estate Area of Character. The special character of the Middleton-on-Sea Estate is derived largely from the low-density, spacious, planned concept of Captain Henry Rowlands Starkey Coldicott (1886-1980). The area is characterised by a degree of uniformity in built form, with properties typically featuring traditional materials and hipped roof designs, together contributing to the established character and appearance of the area.

Paragraph 216 of the NPPF (2024) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed extension has been designed to respect the scale, proportions, and appearance of the existing dwelling. The Area of Character contains a range of dwelling types and architectural styles, and it is acknowledged that a number of properties have been extended or altered over time. Within this context, the proposed development would integrate successfully with the host dwelling and the wider area and would not detract from the overall character or appearance of the Middleton-on-Sea Estate Area of Character.

The proposal would therefore not result in harm to the significance of the non-designated heritage asset and is acceptable in heritage terms, in accordance with ALP policy HER DM4 and the NPPF.

LIDSEY LOCAL FLOOD RISK ZONE

The application site lies within the Lidsey Local Flood Risk Zone, where careful management of surface water drainage is important in order to minimise flood risk in the surrounding area. It is acknowledged that the Drainage Engineers have raised an objection to the proposal, noting that the application indicates that surface water from the extended dwelling would be managed via soakaways. While the use of soakaways would generally be supported in principle, no supporting evidence has been submitted

to demonstrate that infiltration is feasible at the site. Southern Water were consulted and raised no objection, provided flow rates remain consistent, capacity is not an issue.

The public sewer within the Lidsey Wastewater Treatment Catchment Area has a history of flooding, and any additional surface water entering this system should be assumed to increase flood risk.

However, the proposed development would not introduce additional surface water pressure beyond existing conditions. The extension would be constructed over an area of existing hardstanding and is of a similar depth and scale to a rear extension which could be constructed under permitted development. As a result, the development would not increase impermeable surface area or generate additional surface water runoff compared to the existing situation. On this basis, the proposal would not increase flood risk on or off site, having regard to the scale of the development and the absence of any increase in hard surfacing.

Given that the development would extend over existing built form and hardstanding, a refusal on drainage grounds would not be reasonable in this instance. The proposal would not increase flood risk elsewhere, in accordance with ALP policies W DM1 and W DM3.

SUMMARY

The proposed development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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
Block Plan
Proposed Plans and Elevations REV 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE:

The applicant is advised that drainage interception features are to be provided where possible to make a positive contribution to reduce surface water. In recognition that the National Planning Policy Framework states that SuDS should be proportionate to the nature and scale of the proposal, the following interception features can demonstrate compliance without further detailed assessment:

- Infiltration features designed to meet extreme rainfall standards.
- Water butts or other means of reuse that are not designed for regular daily demand attached to all new downpipes.
- Raingardens and bioretention features attached to all new downpipes.
- Permeable surfacing.

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.