

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

REF NO: M/2/21/HH

LOCATION: 45 Southdean Close
Middleton-On-Sea
PO22 7TH

PROPOSAL: Two storey front extension, first floor side extension, single storey side extension, two storey side extension, conversion of roofspace to habitable use with rear dormer and installation of 4 x balconies.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to construct a two storey front extension, first floor side extension, single storey side extension, two storey side extension, conversion of roof space to habitable use with rear dormer and installation of four balconies.

The materials used to construct this dwelling will be similar to those used on the host dwelling. The walls will be rendered, the roof will be constructed from tiles to match the existing and the windows will be aluminium powder coated.

REPRESENTATIONS

Middleton Parish Council - Object:

- The overall mass, height and scale is out of keeping with surrounding properties.
- Overdevelopment of the site.
- The proposed development is unneighbourly and will be detrimental to the living conditions and privacy of nearby residents.

Four letters of objection from nearby occupiers:

- Development will overlook nearby properties.
- The site will be overdeveloped.
- The proposal is out of character with nearby properties.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers comments:

If you are minded to approve this application please apply standard condition to ensure that the development is adequately drained and does not increase flood risk elsewhere.

POLICY CONTEXT

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

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are D DM1 and D DM4 of the Arun Local Plan.

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.

Further guidance from the Arun Design Guide is relevant and referred to below.

There are no neighbourhood plan policies for this application because Middleton Parish Council has no Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposal will be located to the front, side and rear of the host dwelling and will be visible to the street scene at Southdean Close and the wider area, therefore it will have an impact on the character and appearance of the area.

The large scale of this development had resulted in issues relating to the close proximity to the boundary, however substitute plans has now resolved this issue. Therefore, resulting in this development appearing subservient to and integrated to the existing dwelling.

This development matches the majority of the existing materials. The materials used for the walls, roof and windows are all of good design. Due to these factors, the extension is considered to appear subservient to, and well integrated with the host dwelling.

The proposal does not result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified

in section C.06 of the Design Guide. Also section M, referring to householder extensions states extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

This proposal sits at all elevations of the property and has a significant boundary at the north and south. At the north the proposal sits 11.57m to the boundary and at the south it sits 12.06m. At the east and west elevation the proposal sits at the boundary, at the west this looks to 44 Southdean Close and the east it looks to 1 The Jetty and 46 Southdean Close.

The proposal at the front elevation will not cause significant harm to the north neighbour due to the significant boundary of 11.57m. Although the proposal will result in a two storey front extension it will not cause any harmful overlooking onto 54 Southdean Close. The proposal at the rear which results in conversion of roof space to habitable use with rear dormer and installation of 4 balconies will have a boundary of 12.06m, the property is not backed onto residential properties so there will be no issue of overlooking or overbearing impacts.

At the side elevations the proposal is for a first floor side extension, single storey side extension and two storey side extension. The proposal at the side (east) on these elevations will result in significant harm to the neighbour at the side, 1 The Jetty. This is due to the first floor extension with the addition of bedroom 4, the extension will result in sunlight being blocked to the private amenity space of 1 The Jetty, therefore having a harmful impact on this neighbour.

The balcony which leads out onto bedroom four will result in overlooking and overbearing effects to the 1 The Jetty to the east. This is due to the balcony being positioned on a first floor extension which looks out onto the rear garden on this neighbour. As a result, causing significant overlooking effects which results in this application being refused.

The development is not considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The development is not deemed to accord with relevant development plan policies and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The extension due to its scale, design and close proximity to the boundary will have an oppressive and unneighbourly effect on neighbouring occupiers contrary to policies D DM1 and D DM4 of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.