

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

REF NO: M/30/21/HH

LOCATION: 23 The Byway
Middleton on Sea
PO22 6DR

PROPOSAL: 2nd floor rear extension & additional pitched dormer to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The Byway is an informal residential lane, comprising a mixture of properties of single, 1½ and 2 storeys. The properties are in similar sized width plots with medium and mature landscaping, consisting of hedges and fencing. The design character of the lane is varied with a variety of materials used, including render, brick, thatch, black stained weather boarding and plain clay tiles.

This application seeks consent for 2nd floor rear extension and additional pitched roof dormer to front.

The second floor rear extension measures 4.5m deep and 3.61m and there is variation of depth on eastern and western elevation. The front dormer also replicates the scale of the existing front dormer.

Materials to match the host dwellings.

RELEVANT SITE HISTORY

M/44/90	Front bay extension	ApproveConditionally 14-05-90
M/54/89	Rear single storey extension	ApproveConditionally 30-05-89
M/106/86	Two Storey Extension To Side Of Existing Property Forming Double Garage Porch With Bedroom Over	ApproveConditionally 03-11-86

REPRESENTATIONS

No letters of representation received.

CONSULTATION RESPONSES RECEIVED:

Middleton Parish Council - No objection

Middleton-on-Sea Association- No objection

POLICY CONTEXT

Designation applicable to site:

Built Up Boundary

Area of Special Character

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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)
HERDM4	HER DM4 Areas of Character
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
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CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4 and HER DM4 of the Arun Local Plan. In accordance with the adopted policy HERDM4 proposed development would comply to preserve the special character of the area and no harm is demonstrated.

The Middleton Design Statement which seek to prevent development that would have an adverse impact upon visual and residential amenities. Development complies with the adopted policies and the village statement.

DESIGN AND VISUAL AMENITY

The second-floor extension would sit on the existing extension and development would be incorporated in the existing built form. The massing and bulk is balanced within the existing roof form; there proposed development does not appear to be dominating feature. The front and rear dormers with pitch roof would replicate the existing dormers in terms of design and scale. Arun's Design guide part M favours small scale dormer windows with pitched roofs over large, flat box shaped designs. The front and rear dormer would not damage the original character and the fabric of the original built structure. As alluded above,

the materials would match the host dwelling.

The development accords with D DM1, D DM4 and HERDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension and dormers do not appear to cause harm to residential amenity. The detached nature of the plot, lengthy garden and staggered layout reduces the impact in terms of overshadowing or overbearing. The development is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

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

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 CIL Liable therefore developer contributions towards infrastructure may be required (dependant on any exemptions or relief that may apply)

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 and Block plan

Proposed elevations, floor plans and existing roof plan: drawings no PR/00

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM4 of the Arun Local Plan.

- 3 The windows on the east elevation of the building shall be glazed with obscured glass/fixed to be permanently non-opening below 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DDM4 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.