

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

REF NO: M/37/18/HH

LOCATION: 7 Alleyne Way
Elmer
Middleton-On-Sea
PO22 6JZ

PROPOSAL: Single storey extensions to East, South & West elevations & loft conversion (resubmission following M/126/17/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed development is a comprehensive redesign of the existing property. It will be set back 12.5 m from the road. The roof will be remodelled with twin gables aligned east-west of differing depths and hipped at the rear connected by a flat roof element 6m high with a false hip to north and south, set back 1.5 m from the gable elements. The northern gable will be 12.5 m deep and 4 m high at the eaves and 7 m at the ridge. The southern gable will be the same height and 9 m deep.

The northern gable will have a balcony at first floor set back inside the roof and accessed by a French window. Two other windows are proposed at first floor on the front elevation. No windows are proposed on the north elevation. Three 1.6m high windows extending into the roof as roof lights are proposed at first floor in the south elevation serving bedrooms. There are also 2 floor-ceiling windows proposed at ground floor on this elevation. The original proposal has been amended to replace the first floor windows on the rear elevation with roof lights. The roof would be constructed of a grey standing seam and the walls would be render and timber cladding.

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

The front boundary has a dwarf wall with scalloped timber panels on top to a maximum height of 1.8 m. with large gate piers and metal vehicle gates. There is a mix of timber fences, walls and mature planting to a height of over 3 metres on the south side boundary of the front garden.

SITE CHARACTERISTICS

The existing property is a detached bungalow. It is 5.5 m high to the ridge and set back 14 m from the road. It is rendered and has a grey slate bonnet hipped roof with the ridge aligned north-south and a projecting front gable. There is a flat roof element on the north side. The large front garden laid to gravel with an outbuilding adjacent to the south boundary.

CHARACTER OF LOCALITY

The property is on the east side of a quiet residential street. The other houses are mainly detached in medium sized plots set back from the highway with gardens to front and rear. The neighbouring property to the north is a bungalow and is 4 m from the application site boundary. It has a shallow pitched roof 4.5 m high at the ridge. Beyond this bungalow the properties to the north are two storey and there is a consistency in design in that most present and gable end on to the road. The property to the south is a bungalow with a ridge height of 6 m. It has a flat roof garage on the north side adjacent to the application site.

RELEVANT SITE HISTORY

M/126/17/HH	Single storey extensions to East, South & West elevations & loft conversion.	Refused 27-02-18
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M/37/18/HH - A similar proposal (re-submitted in this application).

Refused on grounds of

- 1) failure to be subservient to the host dwelling, out of character to the appearance of the area.
- 2) overlooking of private garden of no.9 Alleyne Way and 8 Elmer Close.
- 3) Loss of outlook and light to no. 9 due to first storey.

In this application;

- 1) the roof ridge has been lowered from 8.8. metres to 7 metres.
- 2) The first floor rear windows (east elevation) have been changed to roof lights and 2 roof lights
- 3) The roof design been simplified .
- 4) The width of the main dwelling at 2 storey height has been reduced by 2 metres from 14 metres to 12 metres..

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council

Objection: out of character; overall mass and scale out of keeping; overbearing.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water
Advice relating to drainage

Engineers
condition required relating to surface water drainage

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and conditions and informative attached.

POLICY CONTEXT

Within the built up area boundary

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D SP1 Design
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design Quality
D DM4 Extensions & Alterations to Existing Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. A six week period of consultation on modifications to the plan ended in mid-February.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

Middleton on Sea Parish Council does not have a Neighbourhood Plan.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with relevant Development Plan policies in that it would have not be subservient as required by policy DEV10(ii).

OTHER MATERIAL CONSIDERATIONS

The proposal does not comply with policy DEV19 (ii) of the Arun District Local Plan in that it is not visually subservient to the main dwelling. However the existing building has been extensively remodelled and the resulting building does not appear incongruous in the street scene due to the character of the development in this location and as such there is no demonstrable harm and It is therefore considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is situated within an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy. In this case the principal policy is policy DEV19.

VISUAL AMENITY

Policy DEV19 (ii) requires extensions to existing buildings to be 'visually subservient to the main building. The proposed changes will significantly alter the shape of the existing dwelling and will effectively result in a new build rather than an extension to the existing building. As such the design needs to be considered as a whole rather than as a subservient addition. Whilst the ridge height will be increased overall by 0.5m and at the highest points of the gables by 1.5m, the bulk of the roof will appear lighter by splitting the mass into 2 gables. These gable features will maintain the rhythmic quality of the street scene derived from most of the properties having gables facing the road on this side. In view of the significant set back from the road and the separation distance from the properties either side it will not appear overbearing. The design and materials proposed have a contemporary feel which reflects that of other houses in the vicinity, in particular 12 Alleyne Way. Therefore while the extensions are not subservient as required by policy DEV19 of the Arun District Local Plan there is no demonstrable harm.

RESIDENTIAL AMENITY

The foot print of the building will extend no further forward or back than the existing. The first floor elements will be 1.5 m higher than the existing roof at the ridge and 1 m higher at the eaves. There is a window in the side elevation of the bungalow to the north, 9 Alleyne Way, which faces the application site but having regard to the relative positions of the existing property to this bungalow and the distance between this window and the eaves (6 m) and ridge (8m) of the new roof on number 7 there will a minimal impact in terms of overshadowing and outlook. There is a dormer window on the side roof slope of the property to the south facing onto the application site. The distance between this dormer and number 7 is 7 m. Due to the orientation and separation distance there will be no loss of light or outlook to this window. Three windows are proposed at first floor in the side elevation opposite this dormer. However they are secondary windows to bedrooms which have principal windows facing west and east and therefore could be subject to a condition to ensure they are glazed with obscure glass.

As such it is considered that although the extension is not subservient to the existing building this in itself does not cause demonstrable harm to visual amenity. If considered as a re-modelling the design is appropriate in this location and will not result in a loss of residential amenity and it otherwise meets the criteria of policies GEN7 and DEV19 of the Arun District local Plan and policies D SP1, D DM1 and D DM4 of the Arun local Plan 2011-2031.

HUMAN RIGHTS ACT

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.

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:
1310, 1310 revA, 1310:100, 1310.101, 1310.102, 1310.103 revA, 1310.104 revA, 1310.105 revA, 1310.106

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 The windows on the south elevation at first floor level shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance

with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 **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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.