

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

REF NO: M/38/26/HH

LOCATION: 4 North Avenue
Middleton-on-sea
PO22 6HF

PROPOSAL: Single storey rear full-width extension and alterations to rear first-floor balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

M/43/03/ First and second floor extensions.

ApproveConditionally
16-05-03**REPRESENTATIONS**

Middleton Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

DRAINAGE ENGINEERS - Objection

1. Runoff destination.
3. Extreme Rainfall and Flooding.
4. Water Quality - No objection subject to conditions.

POLICY CONTEXTBuilt-Up Area Boundary.
Lidsey Treatment Catchment.
Lidsey Local Flood Risk Zone.**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)

WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

[Middleton-on-Sea Neighbourhood Plan 2024-2041](#) SUDS DESIGN AND MANAGEMENT
[Policy MOS3](#)

Middleton-on-Sea Neighbourhood Plan 2024-2041 REFLECTING LOCAL CHARACTER THROUGH
Policy MOS6 HIGH QUALITY DESIGN

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 is a semi-detached property located at 4 North Avenue. This application seeks planning permission for the construction of a single storey rear extension and alterations to rear first-floor balcony.

The site lies within the Middleton-on-Sea Neighbourhood Plan (MoNP) Area of Character 7 and must therefore also be assessed against policy MOS6 of the MoSNP.

The application site is within a residential area characterised by varied property styles and extensions. The neighbouring property has a single-storey rear extension of similar scale and form. The proposal would be located to the rear of the host dwelling and, due to the site's relationship with the main road and side road, would be visible within the street scene. However, the extension would represent a continuation of the existing built form, and given the existing variation within the street scene, the extension would not appear at odds within the wider context.

The proposed single-storey rear extension would replace an existing smaller rear structure. It would increase the width from 4.3m to 9m and the depth by 0.6m to 3m; as such, the depth would comply with the Part M of the Arun Design Guide (ADG). The mono-pitched roof would have a maximum height of 3.6m and an eaves height of 2.8m. Fenestration would be confined to the rear southern elevation and would include two four-panel uPVC doors to match the existing dwelling. Given the depth and design of the proposed extension, the extension would not result in harm to visual amenity.

The proposed single-storey rear extension would be finished in materials to match the existing dwelling. This would allow it to integrate with the host property and comply with Arun Local Plan policies D DM1 and D DM4 and policy MOS6 of the MoSNP.

The proposed alterations to the rear first-floor balcony would alter its orientation, increase its projection by 0.8m to a depth of 2.3m, and reduce its width by 1.8m to 1.2m. The balcony would be 1m high, and would extend over the roof of the proposed rear extension, and be finished with glazing balustrading which would be sympathetic to the design and would not result in harm to visual amenity.

Overall, the proposed single storey rear extension and alterations to the rear first-floor balcony would not harm the character, appearance, or visual amenity of the host dwelling or street scene. The proposal is

therefore in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG, and Policy MOS6 of the MoSNP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed single-storey rear extension would be set 2.8m from the western side boundary, 5m from the rear southern boundary, and 0.46m from the eastern side boundary. Although the eastern separation would not meet the 1m guidance in Part M of the ADG, the extension would replace an existing rear structure of similar scale. The neighbouring property also has a comparable rear extension, although the proposed extension would project 0.4m beyond it. Given the existing boundary treatment, the limited additional projection, and the scale of the proposal, it would not result in overshadowing or overbearing impacts to neighbouring properties.

The proposed fenestration would be limited to the rear elevation and would face the host dwelling's amenity space. It would therefore not result in unacceptable overlooking or loss of privacy to neighbouring properties.

The proposed alterations to the rear first-floor balcony would retain its existing position. As such, there would be no material change in overbearing, overshadowing, or overlooking impacts. The balcony alterations would therefore not result in harm or loss of privacy to neighbouring residential amenity.

The proposed development would not harm neighbouring residential amenity by way of overbearing impact, overshadowing, overlooking, or loss of privacy. It is therefore in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

DRAINAGE

The site is within the Lidsey Treatment Catchment Area and Lidsey Local Flood Risk Zone. Surface water drainage must therefore be considered in relation to flood risk, with regard to Arun Local Plan policies W DM1 and W DM3, the National Planning Policy Framework (NPPF), and policy MOS3 of the Middleton-on-Sea Neighbourhood Plan (MoSNP).

Paragraph 181 of the NPPF (2024), states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

A Lidsey Drainage Statement was submitted with the application. The Council's Drainage Engineers were consulted and objected on the grounds of runoff destination and extreme rainfall.

The Drainage Engineers' objection is noted, including that the proposal would not comply with Standard 1 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. However, the extension would partly replace an existing extension, with the remainder extending beyond it, and would be built over current hardstanding. Furthermore, it is noted that a single storey rear extension of a similar footprint could be constructed under permitted development, albeit with a nominal gap between the two rear projections. As such it is not expected to increase flood risk to the rear garden, the wider site, or surrounding properties.

On balance, it would not be reasonable to refuse planning permission on this basis. A rear extension of a similar footprint could also be constructed under permitted development. The proposal is therefore acceptable in accordance with Arun Local Plan policies W DM1 and W DM3, policy MOS3 of the MoSNP, and the NPPF.

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 and Block Plan Drwg no. P0.
- Ground Floor Plans Drwg no. P1.
- First Floor Plans Drwg no. P2.

- Loft Floor Plans Drwg no. P3.
- Roof Plan Drwg no. P10.
- Elevations - Front/Rear Drwg no. P4.
- Elevations Right/Left Side Drwg no. P5.

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: 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.