

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

REF NO: M/40/18/HH

LOCATION: Sea Briars
Rose Avenue
Middleton-On-Sea
PO22 7TG

PROPOSAL: Extension to form new first floor bedroom accommodation to existing bungalow.
Internal alterations to ground floor accommodation &
replacement garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to extend the roof space to create new first floor accommodation and to replace an existing garage.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the property has a small brick wall with gates for driveway access. The rear and side boundaries consist of fencing around 1.8m in height.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow property with a detached garage situated to the rear side of the dwelling.
CHARACTER OF LOCALITY	The area is predominantly residential with a mix of housing types and styles.

RELEVANT SITE HISTORY

M/16/59	Alterations To Approved Plans For Bungalow	Approve 17-06-59
PAA/141/17/	Loft conversion.	Approve Pre App 21-09-17

Relevant planning history noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Parish Council provided no objection

No representation from nearby occupiers

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water requested a standard informative be added.

Engineers Drainage requested standard condition ENGD2A be added.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Condition ENGD2A will not be included as the development does not increase the footprint of the house and therefore may not be considered reasonable to include.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICES

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

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

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

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

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. The plan was subject to consultation until 23rd February 2018. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 does not have a 'made' 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 be in conflict with DEV19 (ii) of relevant Development Plan policies as the proposal is not subservient to the existing dwelling.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

Namely that the proposed extension accords with GEN7 and DEV19 (i) (iii) (iv) and (v) of The Arun District Local Plan.

In this instance the site is located within an area where there are a mixture of building styles and sizes and the extension does not compromise the spatial character or pattern of the street. The proposal is also not considered to give rise to any materially adverse effects on the visual amenities of the locality or the residential amenities of the adjoining properties.

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and DEV19 of the Arun District Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The proposal seeks to alter the roof of the existing dwelling which includes increasing the ridge height to allow for the creation of a first floor accommodation. A replacement garage will also be constructed and relocated to extend further forward to the western elevation and attach to the existing dwelling. As such the development will be visible from the street scene.

The development to the roof is well integrated in terms of design and scale. The materials will be the same as that of the existing property and as such is considered visually subservient. The replacement garage by virtue of its design and location is also considered to be well integrated.

The proposed development is considered in keeping with the area which comprises of a mixed character with buildings of various types and designs. The property is situated between a 2 storey dwelling and a bungalow and retains an existing 8m and 10m separation to the front and rear boundary and 2m to the north.

It is therefore considered that the proposal will not have any unacceptable adverse impacts upon the spatial pattern or character of the area and accord with DEV19 and GEN7 of the Arun District Local Plan.

NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposed development will increase the ridge height of the roof from around 5.4m to 7.5m with eaves height increasing from 2.6m to 3.55m in order for first floor accommodation to be created. The proposal also seeks to replace the existing garage. The garage will have a depth of 6.2m which is over a metre smaller than what currently exists. It will have a low sloping roof with a max height of 3.2m.

A conservatory to the south will be removed and the replacement garage will be re-sited further forward to meet in line with the rear elevation and extend west attached to the main dwellinghouse. Due to the location of the dwellinghouse it is not considered that the increase in roof height or garage will be unduly dominant or give rise to any overbearing to nearby occupiers.

The proposal will also install 6 extra windows to the property. Two will be installed to the western elevation which will overlook the street scene. The window to the eastern elevation will overlook the rear garden of the property however due to the location of the dwelling and proposed window it is not considered there will be any adverse overlooking to the surrounding neighbours.

Due to the height of the neighbouring property to the north the proposed velux windows are not considered to give rise to any overlooking. Additionally the window to south will be positioned within the

stairwell/hall and again is not considered to give rise to any overlooking to the neighbours at Ardington Lodge. The proposed garage has no windows and is smaller than which currently exists and is not considered to give rise to any overlooking, overbearing or overshadowing.

Whilst the proposal increases the overall height of the dwelling, the boundary distances are retained and it is considered there are no other changes which are considered to result in a loss of privacy, overshadowing or overbearing impacts upon the residential amenity and is therefore in accordance with policies GEN7 and DEV19 with the exception of DEV19(ii) of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

FOR APPROVAL

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

- Location and Block Plan- 239/01
- Proposed Elevations - 239/05
- Proposed Floors and Roof Plan- 239/04

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

- 3 **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.