

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

REF NO: M/42/20/HH

LOCATION: 143 Middleton Road
Middleton-On-Sea
PO22 6DF

PROPOSAL: Side entrance canopy.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a canopy over the side entrance to the dwelling.

RELEVANT SITE HISTORY

M/49/18/PL	Change of use of restaurant (A3 Food & Drink) to residential dwelling (C3 Dwellinghouse).	ApproveConditionally 19-06-18
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REPRESENTATIONS

Parish Council - No objection.

Middleton-on-Sea Association - No objection.

- Materials should match the host dwelling.
- A legal agreement will need to be agreed by the application with MOSA.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Locally Listed building

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
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**

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM2 of the Arun Local Plan. Additionally, Middleton Village Design Statement.

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.

Policy HER DM2 of the Arun Local Plan relates to Locally Listed Buildings or Structures of Character. First, it sets out the criteria that should be met by the buildings in order to become locally listed. With relation to the alteration or extensions of buildings on the Local List, it states that the proposal should relate sensitively to the building, respecting its architectural, landscape or historic interest.

DESIGN AND VISUAL AMENITY

Due to its siting, the proposed development will be visible within the street scene of both Middleton Road and The Byway. Whilst the proposal will result in a change in appearance to the host dwelling, this change is not considered to be harmful to the established character of the host dwelling, or its locality. The proposed porch is considered to appear well integrated with the host dwelling, and subservient to its built form. In order to ensure this, a condition will be recommended ensuring that the porch utilises materials to match the host dwelling.

The proposed development is considered to sensitively relate to the established character of the Locally Listed Building, and have no harmful impact upon the character of the locality. As such, it is deemed to be in accordance with D DM1, HER DM2 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any overshadowing or overbearing impact upon the occupiers of neighbouring dwellings. This is due to its light construction, modest scale and siting. Additionally, the proposal is not considered to result in a loss of privacy to occupiers of nearby dwellings, in that it does not provide any views that are unavailable from the application site at current.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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.

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:
 - Site Location and Block Plan - 959/03 - Rev. A - APR 20
 - Existing and Proposed Floor Plans - 959/02 - Rev. A - APR 20
 - Existing & Proposed Elevations - 959/01 - Rev. A - APR 20
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 The materials and finishes of the frame and roof of the canopy hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policy D DM1 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.