

CERTIFICATE OF EXISTING LAWFUL DEVELOPMENT REPORT

REF NO: M/48/15/HH

LOCATION: 17 Ancton Drive
Middleton on Sea

PROPOSAL: Single storey rear extension & loft conversion.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The extensions will primarily be at first floor level and result in the property becoming a two storey dwelling. Two dormer windows are proposed to the front part of this enlarged roof. The front elevation will also comprise a rebuilt existing single storey extension.

The resultant building will be gable ended and measure approximately 12.5m in length, with an eaves height of 3.8m, pitch height of 7.5m.

An existing rear uPVC conservatory is to be demolished and a single storey flat roof extension erected on the rear elevation measuring approximately 7.2m in length, approximately 4.5m in depth and approximately 3.1m in height. A 11.5m long, 2m high dormer is also proposed at the rear with a set of doors on its western end which will have an abutting safety rail across it.

SITE AREA

Approximately 480 square metres.

TOPOGRAPHY

Predominantly flat

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

To the front, there is hedging at approximately 1m in height with close boarded fencing and hedging along front side boundaries at approximately 1.5m in height. To rear, close boarded fencing at approximately 1.8m in height with a trellis addition along the northern boundary bringing the overall height of this screening to approximately 2m.

SITE CHARACTERISTICS

A detached bungalow with brick elevations painted white and a hipped roof with brown pantiles. There is an attached garage to side. A PVCu conservatory with green frames and a hipped roof is located on the rear elevation.

CHARACTER OF LOCALITY

Predominantly residential in character, there are two storey detached and detached chalet bungalows exhibiting different roof heights and design styles.

There are open fields beyond the northern boundary of the site.

RELEVANT SITE HISTORY

M/81/13/	Extensions to front, side and rear to provide additional accommodation	ApproveConditionally 17-12-2013
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This application is a scaled down version of what was approved under planning permission reference M/81/13.

REPRESENTATIONS

Representations received:

Middleton Parish Council

No objection.

Comments on Representations received:

Noted

CONSULTATIONS

Stuart Ward- Engineering Technician

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

ADC Engineers

Standard drainage condition suggested.

Southern Water.

No objection. Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development." The developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Comments on Consultation responses:

Comments from SW noted and informative will be imposed. Drainage condition requested by engineers are matters covered by building regulations submission.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:

Arun District Local Plan:

DEV19

EDDM1

EDDM4

Extensions to existing residential buildings

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

EDSP1	D SP1 Design
GEN7	The Form of New Development
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

PLANNING POLICY 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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.
Middleton does not have a made plan.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for first floor extensions to be added to an existing bungalow. The first floor extensions will contain a lounge, kitchen and snug and so forms the active living area of the property with bedrooms remaining on the ground floor. The proposal will in effect create a two storey dwelling.

The footprint of the building will remain unchanged with the exception of a single storey rear extension to form a bedroom. Consequently, the principle consideration with this scheme is considered to be the overall increase in its height. Currently, this property has a ridge height that is currently lower than surrounding properties (approximately 5.6m) and so there is capacity for an increase without compromising the established characteristics of the area. The proposed extensions will bring the overall height of the property to approximately 7.9m. This is considered acceptable given the wide variety of property styles in Ancton Drive which includes mainly two storey detached properties and detached chalet bungalows. This range has given rise to different roof ridge heights and together with a general lack of design uniformity means that the proposal can be accommodated without any loss of character to the residential area.

The proposal is also considered acceptable in all other respects including its mass, form and siting and is therefore acceptable in design terms. It therefore complies with policies GEN7(ii) and DEV19(i),(v) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposal is regarded to most likely affect Number 19 Ancton Drive to the east due to the close proximity with its shared boundary at approximately 0.8m. Due to the proximity of the first floor extension to the boundary at under one metre, policy DEV19(iv) must be considered. In this regard, it is judged that there are sufficiently large gaps between other properties in the street scene at first floor level so as not to cause a terracing effect and so this policy has been satisfactorily met. The western roofslope of Number 19 offers a steep pitch away from the boundary in order to accommodate this proposal without causing any harmful residential effects such as overbearing or overshadowing. Further, there are no windows in the large roofslope of Number 19 and with two small rooflights in the facing eastern elevation of the extension,

overlooking will not be at an unacceptable level.

There will be no adverse overlooking from the rear dormer as views will be towards the host garden and the security railing will prevent stepping out from the proposed French doors onto the proposed flat roof rear extension. At a single storey height of 3m and a distance of 1.5m away from the boundary, the proposed rear extension will not result in any overlooking or overbearing to neighbouring property.

The proposal is therefore regarded as being satisfactory on residential amenity grounds and so complies with policies GEN7(iv) and DEV19(iii) of the Local Plan.

It is therefore recommended that the application be approved, subject to the following conditions:

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: 144/01- 144/05 & 144/07.

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 The materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.

