

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

REF NO: M/49/17/HH

LOCATION: Deo Gratias
Yapton Road
Middleton-On-Sea

PROPOSAL: Two storey and single storey extensions with rooms in roof

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

The proposed development comprises a two storey extension that wraps around the rear with a single storey extension.

The proposed two storey part measures 7.1m deep, 3.4m wide and 9.2m high (max). The single storey part measure 3m deep. 9.4m wide and 3.7m high (max).

The proposed scheme provides a change from hip to gable roof with a bonnet hip. This allows for bedroom accommodation in the roof space and use of roof lights on rear roof slope. The single storey extension also has rooflights in the roof slope.

The side extension includes an integral garage.

Materials to match the existing property.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The rear boundary has mature planting and hedge

SITE CHARACTERISTICS

The application site comprises a semi detached property set on the busy Yapton Road. The property has a reasonable size plot. There are small lightweight structures to the side of the property. The rear is open

countryside

CHARACTER OF LOCALITY

The site is south east of Barnham village along Yapton Road. The area around the application site comprises agricultural uses and there are also a number of residential dwellings to the north and east. The properties generally vary in design and size.

RELEVANT SITE HISTORY

M/87/87	Extension to rear	ApproveConditionally 14-09-1987
M/13/66	Access	ApproveConditionally 12-10-1966
M/13/66/A	New access	ApproveConditionally 18-01-1967

No relevant planning history.

REPRESENTATIONS

Representations received:

Middleton Parish Council

Middleton Parish Council have no objections.

No representations received in response to public consultation.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary;
Class B Road;
Special Control of Adverts;
Lidsey Treatment Area.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN3
GEN7
DEV19

Protection of the Countryside
The Form of New Development
Extensions to existing residential buildings

Publication Version of the Local
Plan (October 2014):

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
C SP1 Countryside

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD7	Middleton on Sea Village Design Statement
------	---

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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 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 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

The dwelling is located outside of the built-up area boundary. However, Policy GEN3 of the Arun Local Plan states that development in the countryside is acceptable where it accords with policy in Sections 2 & 3 of the plan referring to a specific use or type of development (such as Policy DEV19 "Extensions to Existing Residential Buildings").

Policy DEV19 states that:

"Planning permission will be granted for extensions to existing residential buildings, provided that:-

- (1) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (2) the extension is visually subservient to the main building;
- (3) the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
- (4) in streets characterised by relatively small gaps at first floor level between buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
- (5) the extension does not compromise the established spatial character and pattern of the street."

The proposed two storey extension is in line with the front elevation of the existing house and has same ridge height as the existing house albeit with a bonnet hip. The two storey extension would be sited approximately 2m from the northern boundary. The rear single storey extension is approximately 3m deep and is set approximately 22m from the rear boundary.

There is a change in roof design from a hipped roof to a gable but with a small bonnet hip. Whilst this changes the appearance of the semi detached properties given the variation in design locally including the property Downsview to the south of the pair of semi detached properties, which has a front addition and a forward facing gable, the proposed design is not considered to be visually harmful. Therefore, it is not considered that there would be any adverse harm to the character and appearance of the host property or the wider area

With regard to the amenity of adjoining occupiers the properties to the north are positioned at 90 degrees to the application property and are approximately 26m from the proposed extension of the semi-detached. It is noted that there is a proposed window in the side elevation for the bedroom in the loft area, however given the separation distance to the adjoining properties and the driveway it is not considered that the proposed side extension will be harmful to the outlook or privacy of the adjoining occupiers to the north.

With regard to the adjoining property to the south, Bankside, there is no impact from the two storey extension and given the depth and height of the single storey rear extension it is not considered that the proposed development will be harmful to the outlook or privacy of this property.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties or the character of this semi-rural area.

It is therefore recommended that permission be granted subject to the following conditions.

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 0417:1, & 0417:2.

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 extension 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.