

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

REF NO: M/49/26/HH

LOCATION: 108 Elmer Road
Middleton-on-sea
PO22 6LJ

PROPOSAL: Single storey rear extension, following demolition of front and rear conservatories.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Middleton Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

DRAINAGE ENGINEERS - No objection on the basis that the proposal will not increase the drained area, existing connections are acceptable, and no further drainage measures or conditions are required.

POLICY CONTEXT

Built-Up Area Boundary.

Lidsey Treatment Catchment.

Erosion Risk Statement - 200m mhw.

Within an area with potentially high ground water.

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
WDM4	W DM4 Coastal Protection

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached property at 108 Elmer Road within Character Area 8 of the Middleton-on-Sea Neighbourhood Plan (MOSNP); therefore, the proposal must be assessed against MOSNP policy 6. The application seeks planning permission for the demolition of the front conservatory and the construction of single-storey rear extension to replace the existing conservatory.

The development is in a residential area characterised by a varied pattern of detached dwellings, several of which have single-storey rear additions. MOSNP policy 6 states the design of all housing schemes should reflect the local character through high-quality design, as appropriate to their scale, nature, and location, responding to and integrating well with its surroundings and using materials that are in keeping with those used in existing buildings in the immediate locality.

The proposed single-storey rear extension would replace the existing conservatory and would not be visible from the street scene. It would retain the same footprint with a width of 7.5m wide and a depth of 2.7m and would comply with the Arun Design Guide (ADG) depth guidance. There would be a small connecting infill with an approximate depth of 1.6m and a width of 1.1m to the existing eastern rear projection. The flat roof would have an approximate height of 2.8m and an approximate eaves height of 2.45m and would contain three rooflights. The rooflights would be in accordance with Part M of the Arun Design Guide (ADG) as they would maintain the privacy of the neighbouring properties. As such, the proposed rear extension would not result in harm to visual amenity.

Fenestration on the rear southern elevation would include a set of double doors and a three-panel bi-fold door. The northern front elevation would include the demolition of the existing conservatory, thereby reducing fenestration to a single glazed door and two windows. On the western side elevation, there would be a reduction in fenestration through the removal of the existing conservatory windows. The existing single window serving the connecting infill kitchen would be enlarged, and the single door would be replaced with a glazed door. Both would remain in the same position. All fenestration would be finished in uPVC to match the existing property.

The extension would be finished in timber cladding, with an asphalt flat roof, to match the existing dwelling. The use of matching materials would ensure that the single-storey rear extension integrates appropriately with the host dwelling and remains subservient to it. The proposal is therefore in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4, the ADG, and policy MOS6 of the MOSNP.

The proposal would not harm the character, appearance, or visual amenity of the host dwelling or street scene and 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

Part M of the ADG requires householder extensions to protect neighbouring amenity by avoiding unacceptable overshadowing, overbearing, and overlooking impacts, having regard to the position of neighbouring buildings and the size and location of openings.

The proposed extension would retain the existing separation distances, being set in 4.6m from the western side boundary and retain a rear garden depth of 11.3m. Given its single-storey form, flat roof,

modest height, and existing boundary treatment, the extension would not result in overbearing or overshadowing impacts on neighbouring properties to the west or south.

The proposed fenestration would reduce the extent of glazing compared with the existing conservatory and would maintain the same outlook over the host dwelling's rear amenity space. As such, the proposal would not result in overlooking or loss of privacy to neighbouring properties.

The proposed development would not harm neighbouring residential amenity through overbearing, overshadowing, or overlooking impacts. The proposal is therefore in accordance with Arun Local Plan policies D DM1 and D DM4, and the ADG.

DRAINAGE

The site lies within the Lidsey Treatment Catchment and Coastal Protection Zone. The proposal has therefore been assessed against Arun Local Plan policies W DM1, W DM3 and W DM4 and the National Planning Policy Framework (NPPF).

The Drainage Engineers were consulted and raised no objection, stating that the proposal would not increase the drained or impermeable area, and the reuse of the existing runoff connections is acceptable. Sustainable drainage, interception drainage, and attenuation for extreme rainfall are therefore not required.

The proposed replacement rear extension would use the existing conservatory's footprint and would therefore not increase surface water runoff, alter existing drainage connections, or add materially to foul water flows. Accordingly, the drainage characteristics of the site will remain unchanged from the current condition.

Therefore, taking into account the existing built form and hard surfaced areas on the site, the proposed development would not increase flood risk on the site or elsewhere. The proposal would therefore be acceptable in drainage terms and would accord with Arun Local Plan policies W DM1, W DM3 and W DM4, and the NPPF.

SUMMARY

The proposed development is in accordance with the relevant development plan policies and is recommended for approval, subject to 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, Site and Block Plan - 7428/SK/001 Rev. A.
- Proposed Ground Floor Plan - 7428/SK/020 Rev. A.
- Proposed First Floor and Roof Plans - 7428/SK/021 Rev. A.
- Proposed Front and Rear Elevation Plan - 7428/SK/025 Rev. A.
- Proposed Side Elevation Plan - 7428/SK/026 Rev. A.

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.