

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

REF NO: M/54/22/HH

LOCATION: Clover Cottage
105 Middleton Road
Middleton-on-sea
PO22 6DW

PROPOSAL: Erection of detached ancillary annexe to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION To construct an annexe in the front garden measuring 5.2 by 9.14 in area with a height of 2.07 metres to the eaves and 3.92 metres to the ridge. The property is a detached dwellinghouse in a street of similar properties.

REPRESENTATIONS

Middleton Parish Council - No objection.

CONSULTATION RESPONSES RECEIVED:

None.

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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the district. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale, massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

DESIGN AND VISUAL AMENITY

The proposed building is a large detached annexe building in the front garden of the property. None of the properties immediately to the east or west of the applicant's property have buildings in the front garden and as such the proposed is incongruous within the street scene.

The new building would be 9.14 metres in length by 5.2 metres in width with a height of 2.6 metres to the eaves and 3.9 metres to the ridge. The building would project above the high hedges in the front garden and have a significant impact on the street scene.

The character of the street is long front gardens generally open to the front which is why the proposed annexe would be so over dominant towering over the 1.8 metre front garden hedge of the property.

The new building would fail to be subservient to the main dwellinghouse due to its size and positioning.

The Arun Design Guide states 'Extensions should not project forward beyond the predominant building line. Clearly the proposed building does project well forward of the building line and is therefore unacceptable.

The proposed building would not comply with policies D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

NEIGHBOURS AMENITY

The annexe building will have an overbearing impact on neighbouring properties and will overshadow the front garden of 107 Middleton Road however this is not considered significant enough of an impact to warrant refusal of the application.

SUMMARY

The proposed development fails to accord with the relevant development plan policies in that the building is not subservient to and does not relate well to the host dwelling and its wider area. In addition, it will negatively impact on the residential amenity of the neighbour to the east. The proposal fails to comply with policies D DM1 and D DM4 of the Arun Local Plan and is therefore recommended for refusal for the following reasons:

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the

rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed annexe would fail to be subservient to the host dwellinghouse and would be incongruous within the street scene overly dominating the street frontage and host property contrary to policy D DM1 of the Arun Local Plan.
- 2 The proposed snnexe would be out of character being unique in terms of buildings in front of dwellinghoiuses amongst the immediate neighbouring properties contrary to policy D DM1 of the Arun 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.