

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

REF NO: M/57/18/HH

LOCATION: 18 Merry End
Middleton-On-Sea
PO22 6DP

PROPOSAL: Single storey infill extension, between existing kitchen & garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect an infill extension between the existing kitchen and the garage.
SITE AREA	Approx. 1109sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by a mix of fencing and foliage. The mature foliage at the front boundary is only broken in twice, for a foot entrance gate and a driveway.
SITE CHARACTERISTICS	The site is populated by a 1.5 storey chalet bungalow on a large plot.
CHARACTER OF LOCALITY	The area is populated a mix of housing styles and types, also, as reflected in the A.O.S.C statement, properties are most commonly 1.5 storeys.

RELEVANT SITE HISTORY

M/206/88	Erection of two storey side extension	ApproveConditionally 06-02-89
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None.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby properties.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built up area boundary

Area of Special Character

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
AREA1	Areas of Special Character
GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
HER DM4	Areas of Special Character
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

[Main Modifications of the Local Plan \(April 2017\):](#)

Middleton-on-Sea Village Design Statement by Middleton PC

PLANNING POLICY GUIDANCE:

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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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 and is 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.

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 has taking place. 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. The examination was completed in September 2017.

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. 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.

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 does not have a 'made' neighbourhood development plan, however, it does have a Parish Design Statement, of which has been a consideration during the determination of this application.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in GEN2 of the Arun District Council Local Plan. In this case, the key criteria within the Middleton Village Design Statement.

DESIGN AND VISUAL AMENITY

The development impacts on the appearance of the host dwelling. However, it is important to note that this change is not necessarily harmful. In this case, it is considered that the proposed infill is considered to allow the dwelling to appear more visually unified. This is as a result of the modest design of the extension, appearing as a sympathetic and well integrated addition to the host dwelling. Additionally, this modest design retains the dwellings appearance as a 1.5 storey dwelling, which allows it to preserve the character of the Area of Special Character in which it resides. Therefore, the proposed development is considered to be in accordance with AREA1, GEN7(ii) and DEV19(i) of the Arun District Council Local Plan.

There are few views of the proposed development as a result of the intervening foliage, however, even if the foliage were to die, it is considered that the proposed extension appears subservient to the host dwelling as a result of its ridge height being 1m lower than that of the garage, and 3.75m lower than that of the host dwelling. Resultantly, the proposed development is considered to be in accordance with DEV19 (ii) and (v) of the Arun District Council Local Plan.

Additionally, the proposal is considered to resonate with the design guidelines in the Middleton Village Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant overbearing or overshadowing impact as a result of the proposed all being retained within the same footprint as the host dwelling. Whilst due to the addition of openings on the front and rear elevation of the extension there is potential for overlooking, all of these openings are on the ground floor, and therefore any views available are no different to those that would be available were the development not to go ahead.

The proposed development is considered to be in accordance with GEN7(iv) and DEV19(iii) of the Arun District Council 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:

- Location & Site Block Plan - 260/01
- Proposed Elevations - 260/05
- Proposed Plans - 260/04

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 development hereby permitted shall match in colour and texture those of the existing dwelling.

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.