

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

REF NO: M/58/18/HH

LOCATION: 2A The Layne
Elmer
Middleton-On-Sea
PO22 6JJ

PROPOSAL: Replacement of garage flat roof with pitched roof; replacement of bungalow pitched roof with steeper roof to incorporate living accommodation; replacement of pitched roof to front porch with flat roof to form balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal relates to an increase in ridge height of the bungalow of 2.5m and increases the height of the garage by 1.1m. The balcony is 4m long and 1.2m high and would be located on the front of the property. The 5 roof lights would have a minimal height above internal floor level of 1.7m.

RELEVANT SITE HISTORY

M/20/73

New Bungalow

Approve
04-07-73**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Middleton Parish Council

No Objection

2 Objections - potentially being overlooked via the velux windows to the south west. We were originally informed by our neighbour that the windows would be placed at either end of the building and no mention of velux windows were made. These windows will directly overlook our rear garden and rear ground floor bedroom. With the windows shown at each end, is there any need for the velux windows in this elevation? In respect of the changes to the garage roof, this will need direct access to our garage roof for the construction of proposed joining roof structure. We have not seen any detailed drawings for this work. A party wall agreement would be required prior to any works being undertaken and we would need to see the detailed drawings.

Neighbouring conservatory, kitchen and garden will be seriously overlooked. Is the large window in the proposed north west elevation needed at all with so many velux windows? Could it be opaque?

There are 4 velux windows on the proposed south west elevation and 1 on the proposed north east

elevation. Couldn't these be more evenly spaced either side of the building?
To be so overlooked would be intrusive and compromise the privacy of our property.

Overlooking discussed in Conclusions section.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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

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

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are deemed to be GEN7 and DEV19 of the Arun District Local Plan. Middleton-on-Sea are not currently preparing a neighbourhood plan

DESIGN AND VISUAL AMENITY

The application seeks permission for the increased height of the roof of the bungalow and a pitched roof to the garage. It is considered that the proposed change to the roof of the dwelling would not appear subservient nor would it appear well integrated with the host dwelling by virtue of its changed profile and increased scale. Therefore, it is considered that the proposed development will fail to accord with policies DEV19(i) and (ii) of the Arun District Local Plan.

However, despite the proposals failure to appear subservient or well integrated it is considered that when viewed from the street the proposal would not have an unacceptably adverse impact upon the established character of the host dwelling given the material considerations that other properties have similar roofs and designs. The proposed extensions would not extend the footprint of the dwelling and would not have an unacceptable impact upon the established spatial pattern or character of the street scene. The adjoining garage has a pitched roof and the dwelling at 147 Elmer Road is chalet style and so to is the adjoining property to the north no. 2. In essence, the impact of the proposed extensions are lessened due to the existence of similar chalet bungalows in The Layne nearby.

The pitched roof garage and balcony would not appear out of keeping in the street scene. No. 2 has a full height central window in the front elevation above the porch area, but does not have a balcony. However the front balcony would be of limited proportions and is not an unusual feature in this coastal location.

Therefore, it is not considered that the proposal will accord with policy GEN7(ii) or DEV 19 of the Arun District Local Plan. However the design of the proposed extension in its setting is not so harmful in terms of visual appearance and impact that refusal of planning permission is justified on design grounds when other material considerations, such as other development in the area, are taken into account.

RESIDENTIAL AMENITY

The proposed development is not considered to have a significantly detrimental impact on residential amenity. The proposed development involves a small increase in height of the roof and it is considered that this would not have a significantly detrimental impact on overbearing or overshadowing. The neighbouring properties are both chalet bungalows and have higher ridge lines than the application dwelling. No. 147 is separated by a pitched roof double garage and 145 has an outbuilding recessed behind the dwelling providing some screening.. The side elevation of the application dwelling faces the front garden area of no 2 .

The proposed window in the rear elevation would not result in direct overlooking. It would be centrally sited on the rear elevation in a position where the outlook would be over its own garden the window would not be located in the area where the rear garden depth is 7.8m.. The side facing roof lights are to be positioned above 1.7m floor height as indicated on the submitted floor plans and this is considered to be an acceptable height to prevent any materially adverse overlooking.

The balcony area would look over front garden areas where privacy is not usually expected .

Therefore, the proposal is deemed to accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is considered to be acceptable with regard to visual and residential amenity and 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

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 Plan 18/18/5, Block Plan 18/18/4, Elevations New Roof with Rooms 18/18/1.

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external cladding and roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The roof light windows at first floor hereby approved shall be provided with a minimum cill height of 1.7m above internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 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.