

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

REF NO: M/58/20/HH

LOCATION: 14 Southdean Drive  
Middleton-On-Sea  
PO22 7SX

PROPOSAL: Proposed side extension and garage conversion.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION      The application seeks to construct a side extension and convert the existing garage.

**REPRESENTATIONS**

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

**CONSULTATIONS****CONSULTATION RESPONSES RECEIVED:**

None.

**POLICY CONTEXT**

Designation applicable to site:  
Within built up area boundary

**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) |
| DSP1 | D SP1 Design                                            |

**PLANNING POLICY GUIDANCE:**

|       |                                     |
|-------|-------------------------------------|
| NPPDG | National Design Guide               |
| NPPF  | National Planning Policy Framework  |
| NPPG  | National Planning Practice Guidance |

**CONCLUSIONS**

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

#### **DESIGN AND VISUAL AMENITY**

There will be some available views of the proposed development from the street scene. However, as a result of its design and massing, it is not considered to have any significantly harmful impact upon the character of the area, or the host dwelling. The area is host to a mixture of dwelling styles, and types, with an inconsistent spatial pattern. The proposed development has a maximum height of 3.1, which is approximately 5.5m lower than that of the ridge height of the host dwelling. This is considered to allow the proposed extension to appear subservient to, and well integrated with, the host dwelling. Therefore, it is considered that the proposed development is in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

#### **NEIGHBOURING RESIDENTIAL AMENITY**

The proposed development is not considered to have any significantly harmful impact upon the residential amenities of neighbouring dwellings, by way of overshadowing or overbearing impact and overlooking. Whilst it is noted that the proposed extension has a maximum height of 3.1m, this is as a result of a roof lantern, with the majority of the extension being 2.75m high, when 2.4m from the boundary with the adjacent property to the South. It is considered that as a result of its scale, siting and intervening boundary screening the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun 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.

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|-----------------------|
| <b>RECOMMENDATION</b> |
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**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:

- Proposed Side Extension - Location and Block - Planning - July 2020
- Proposed Side Extension - Plans and Elevations - Planning - July 2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with 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 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.