

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

REF NO: M/61/15/HH

LOCATION: 11 Sea Way
Middleton-on-Sea

PROPOSAL: Two storey side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to demolish the existing double garage to east of the application dwelling and extend the existing dwelling eastwards. The proposed extension would include rooms in the roof area and a rear balcony. The double garage would be re-provided as an integral garage. The extension would be 5.1m wide and would extend forward of the main front of the dwelling. The existing roof pitch of the dwelling would be extended eastwards above the extension and there would be a lower secondary roof pitch to the front element. All roofs would be hipped. Roof lights would have 1.8m cill levels. Materials would match existing.

SITE AREA

The site area is approximately 0.12 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a low density residential one.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site is a 1.8m whitewashed wall. Side boundaries are a mixture of fences and wall of 1.8m to 2m+ height.

SITE CHARACTERISTICS

The site is occupied by a large detached dwelling with rooms in the roof area. To the sides are single storey elements, including on the east side a detached double garage to be replaced. The dwelling is white rendered with some first floor white shiplap. Roof tiles are small plain red tiles. The roof is hipped with a relatively steep roof pitch. To the front, the dwelling is served by a circular driveway and there is parking available to the front of the

garage and in the circular driveway.

CHARACTER OF LOCALITY

The area is characterised by low density residential development of mixed designs. On either side of the application site are large dwellings which have a single storey appearance and rooms in the roof area. Both adjoining dwellings are set away from the side boundaries of the site.

RELEVANT SITE HISTORY

M/32/02/	Front extension (two storey) and rebuild existing single storey extension.	ApproveConditionally 17-06-2002
M/98/05/	Erection of external oak timber first floor balcony with stainless steel wire guarding to south facing rear of existing property	ApproveConditionally 07-11-2005
M/90/07/	A single storey utility & ensuite extension, 2 new dormers, 2 new rooflights, one new window and reduction of existing Oak balcony	ApproveConditionally 29-08-2007
M/13/12/	Single storey rear extension & new front porch	ApproveConditionally 11-04-2012
M/19/52	Private workshop a experimental room	Permit'd Devel 15-10-1952
M/19/52/A	Alterations to windows	Permit'd Devel 14-01-1965

None.

REPRESENTATIONS

Representations received:

Middleton Parish Council

Middleton Parish Council has no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN2
GEN7
DEV19

Publication Version of the Local
Plan (October 2014):

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

MDS

Middleton-on-Sea Village Design Statement by
Middleton PC

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered

alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

There is no Made Plan for Middleton-on-Sea.

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 site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1 and D DM4 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling. The proposal is not dissimilar to the appearance of the existing dwelling and provides a continuity of appearance across the front of the dwelling and it is considered to be acceptable visually. Massing of development increases, but can be accommodated within the site satisfactorily. There are other dwellings of similar massing in the locality. There is considered to be no detriment to the street scene or to the appearance of the existing dwelling.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed extension is set away from the east boundary and the adjoining dwelling is 11m away. There is little impact on light and the extension is not dominant in outlook. The 1.8m cill level of the roof lights mean that overlooking is not an issue the development does not give rise to privacy loss in this sense.

The proposed balcony is set to the south of the adjoining dwelling and there is good boundary screen planting. It is not considered that there will be any significant privacy loss from the proposed balcony.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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

report

approved drawings:

Block Plan, Scale 1:500 - Submitted with Application.

Drawing Number 1533.01 - Ground Floor & North Elevation - Dated June 2015.

Drawing Number 1533.02 - First Floor & South Elevation - Dated June 2015.

Drawing Number 1533.03 - Roof Plan & East & West Elevations - Dated June 2015.

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 roofs of the extension 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 No windows or roof lights (other than those shown on the drawings hereby approved) shall be constructed in the east side elevation or roof plane of the development hereby permitted which adjoins the side boundary with no.9 Sea Way without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property 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.