

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

REF NO: M/65/13/

LOCATION: Summer Cottage
14 West Drive
Elmer

PROPOSAL: Extensions and alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal involves erecting two dormers in each side elevation of the property, a single storey rear extension and a front extension infilling an area underneath an existing first floor wooden balcony. The dormers will have vertical plain tiles on their hipped roofs and sides. The extension has rendered elevations to match existing with plain roof tiles. The front extension will have rendered elevations that match existing.
SITE AREA	Approximately 520 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	To front and sides, close boarded fencing at approximately 1.8m in height. To rear, close boarded fencing and hedging at over 1.5m in height.
SITE CHARACTERISTICS	A detached chalet bungalow with smooth rendered elevations on the lower half and timber weatherboard cladding above. The roof is pitched with brown pantiles. There is an attached garage to side (north) and a dormer in the side (south) roofslope. A wooden balcony at first floor level is situated to front.
CHARACTER OF LOCALITY	Wholly residential in character, the surrounding area forms a Private Estate with two storey detached properties and detached bungalows. There is a general lack of uniformity in property styles and varying roof heights.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Middleton Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Fluvial Flooding)

Engineers (structural)

Consultations responses received:

Engineers.

No structural comments. Regarding surface water drainage, the applicant states that surface water will be discharged to mains drainage, which is generally unacceptable, but especially so in this area. A SuDS system (Sustainable Drainage System) must be investigated for surface water disposal i.e. soakage structures. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers should the application be approved.

Southern Water.

Comment. A formal application is required for any new connection to the public sewer to be made by the applicant or developer.

Comments on Consultation responses:

Comments noted. Appropriate Informatives will be added to ensure that the applicant is made aware of the requirements of Southern Water and Arun Engineers.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

MDS

Middleton-on-Sea Village Design Statement by
Middleton PC

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 Arun District Local Plan policies GEN7 and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks approval for two dormers to be installed in each side roofslope, a single storey extension to rear and a front extension to infill an area underneath a first floor balcony.

The dormers are set down from the ridge height of the roof and are appropriately positioned within the roofslope by way of their form and dimensions. Due to an absence of design uniformity for surrounding properties including varying roof heights, it is considered that the dormers can be accommodated within the street scene without any loss of character. It has also been noted that an existing dormer is already set in the southern roofslope of the property facing Number 16 West Drive and so the principle of such development has already been established. A side dormer is also observed at Number 10 West Drive and so such roof extensions are consistent with the residential character observed in the locality. The proposed dormer materials consisting of matching plain tiles is acceptable since it assists in their visual integration with the host property.

The rear extension is single storey in height and due to its location will not be visible from the road. It has a hipped roof with a roof pitch to match that of the proposed dormers. The use of matching render will also ensure good visual integration with the host property.

The front extension will infill an area currently underneath a first floor wooden balcony. It is small in scale and will have matching rendered elevations so as to be acceptable in design terms. The dormers, rear and front extensions are therefore considered to comply with policies GEN7(ii) and DEV19(i).

RESIDENTIAL AMENITY

The proposed four side dormers are considered to not cause any harm to neighbouring properties, particularly due to an absence of roofslope windows in the neighbouring facing roofslope of Number 12 West Drive and a single obscured glazed window at first floor level at Number 16 West Drive. The proposed dormers are also considered to be appropriately sized for their respective roofslopes so as to not cause any unacceptable residential effects such as overshadowing, overbearing, overlooking or loss of privacy. Also, an existing side dormer in the southern roofslope facing Number 16 West Drive means that the dormers can be accommodated without causing any deleterious effect. The scheme benefits from an existing attached garage with a sloping roof which maintains an adequate distance between the proposed dormers and the neighbouring property of Number 12 to the west.

The rear extension which is single storey in height retains acceptable separation distances to neighbouring boundaries and has a hipped roof which slopes away from the boundary to reduce its bulk. The windows and doors in its elevations will not cause any harm due to the boundary treatment of close boarded fencing and hedging over 1.5m in height. The double glazed atrium is set within the rear extension and in this position is not considered to give rise to any unacceptable residential effects. This is also true of a new velux window in the side elevation (north) facing Number 12 since it is situated above a stairwell and at an internal height so as not to cause any harmful overlooking.

The front extension under an existing balcony has windows to side but the boundary screening of close boarded fencing at approximately 1.8m in height will mean that any overlooking will not be a demonstrable level of harm. Therefore, the proposal is considered to not cause any harmful residential effects and so complies with the Middleton-on-Sea Village Design Statement and Local Plan policies GEN7(v) and DEV19(iii).

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

Duty under the Equalities Act 2010

In assessing this proposal, a neutral impact has 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 approved plans: drawing numbers 4 (location plan), 8 (site plan), 1, (existing floor plans), 5 (proposed floor plans), 3 (existing north and south elevations), 2 (existing east and west elevations), 6 (proposed east and west elevations) and 7 (proposed north and south elevations), all dated May 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the tiles used for the dormers, the rendering and roof tiles of the rear extension and rendering used in the front extension hereby approved shall match in colour and texture to those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 INFORMATIVE: The applicant is advised to contact the Arun Engineering department to discuss the extent of groundwater monitoring with this scheme.

- 5 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

- 6 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this

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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.