

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

REF NO: M/65/20/HH

LOCATION: 15 Old Point
Middleton-On-Sea
PO22 7RY

PROPOSAL: Erection of conservatory to the rear

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	A conservatory extending 3.8 metres from the rear elevation and 5.97 metres from the rear elevation with a width of 5.35 metre and a height of 2.15 metres to eaves level and 3.66 metres tot he ridge.
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REPRESENTATIONS

Middleton Parish Council - No objection.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

A O S CHARACTER

ADOPTED LOC PLN

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)
HERDM4	HER DM4 Areas of Character

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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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM4 of the Arun Local Plan. Additionally, the Middleton Parish Design Statement.

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.

Policy HER DM4 of the Arun Local Plan relates to applications within Areas of Character. Proposals will be granted subject to the retention of buildings and other features which make positive contributions to the special character of the area, maintenance of an appropriate mix of uses, and where possible, enhance the special character of the area.

AREA OF SPECIAL CHARACTER

In accordance with para. 190 of the NPPF and Para 197 of the NPPF 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.'

The host dwelling is sited within an Area of Special Character which is characterised by open green frontages, with dwellings set back within their spatial plots. As such, consideration of the rear extension does not impact upon the Area of Special Character and the proposal accords with policy HER DM4 of the Arun Local Plan.

DESIGN AND VISUAL AMENITY

The rear conservatory extension has a very limited impact upon the street scene and is otherwise considered acceptable in design being of typical conservatory in design with white UPVC fenestration. The extension would appear well integrated with the existing dwelling and subservient to it and generally is sympathetic in appearance to the host dwelling.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan. Additionally, the proposal is not considered to result in any significant harm upon the character of the Area of Special Character.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significant impact upon the residential amenities of neighbouring dwellings. It is single storey in character and located behind a garage on the neighbouring property at 11 Old Point which is a detached property set 7 metres away from 15 Old Point which would further protect the neighbour from any adverse impact in terms of a loss of light, overbearing impact or a loss of privacy as a result.

The proposed development is considered to result 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

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:

Proposed Plans and Elevations Dwg.no. 900-5442 dated 01/09/2020

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.