M/67/06

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Two storey side extension 28 Southdean Drive Middleton-on-Sea

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Two storey half-hipped side extension with rear single storey flat roof element. To measure (at maximum) approximately; 7.1m in height, 7.5m in length, 9.8m in width
SITE AREA	450 square metres approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None affected
BOUNDARY TREATMENT	Front boundary kept by brick wall approximately 1m in height. Rear and side boundaries kept by close boarded fencing and hedging approximately 1.8m in height
SITE CHARACTERISTICS	Detached chalet bungalow with shiplap/smooth render walls and brown tiled roof
CHARACTER OF LOCALITY	Residential with detached chalet/two-storey properties of various style and design

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
M/5/72	Extension to provide a sun lounge on ground floor and bathroom and bedroom on first floor	Approved 09-02-1972
M/79/77	Extension for living room dining room and bathroom	Approved Conditionally 11-01-1978

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Middleton Parish Council	~~Awaited~~ No comment
LOCAL GROUPS	None
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, DEV1
Arun District Local Plan: GEN7, DEV19

PLANNING POLICY GUIDANCE

PPS1: Delivering sustainable development

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, and impact upon locality.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

~~None~~ Noted

ASSESSMENT OF PROPOSAL

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 would have no materially adverse effect on either the visual amenities of the locality or residential amenities of neighbouring properties.

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

Whilst it is accepted a certain amount of overlooking and loss of privacy would result from the proposed roof lights in the rear elevation of the proposal onto the neighbouring rear property, given boundary screening, retention of approximately 15m between the proposal and west

CONCLUSIONS

boundary, any adverse overlooking, loss of privacy, overbearing, or overshadowing resulting from the proposal onto the neighbouring rear property is considered minimal.

It is accepted a certain amount of overbearing and overshadowing would result from the proposal onto the neighbouring property to the south, especially on the ground floor windows in north elevation of this property. However, given boundary screening, retention of approximately 1m between the proposal and south boundary, and absence of windows or other openings in the side elevation of the proposal and at first floor in the north elevation of the neighbouring property to the south, any adverse overlooking, loss of privacy, overbearing, and overshadowing resulting from the proposal onto the neighbouring property to the south is considered minimal.

Given boundary screening and retention of sufficient distance between proposal and north side boundary, any adverse impact resulting from the proposal onto the neighbouring property to the north is considered minimal.

To further minimise any adverse overlooking resulting from the proposal onto the south boundary, it is recommended condition be attached to any approval ensuring no windows or other openings be permitted at first floor and above in the south side elevation of the proposal, and that the bathroom rooflight in the rear elevation be obscure glazed.

Therefore having taken the above factors into consideration, it is not considered that this proposal would detrimentally harm the residential amenities of any neighbouring property by way of adverse overshadowing, loss of privacy, and unacceptable overlooking.

Further given the design of the proposal is in keeping with the existing property, it is considered that the proposal would not be obtrusive or conflict with the established character and appearance of the locality.

It is therefore recommended that the planning application should be approved, subject to the conditions set out overleaf.

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RECOMMENDATION

Approve Conditions

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in the south side elevation of the extension hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

3 The bathroom rooflight window on the rear elevation of the extension hereby permitted shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

4 The roof area of the single storey flat roof element hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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5 The garage area of the extension denoted on the plans hereby approved shall be used as a private domestic garage in connection with No. 28 Southdean Drive Middleton-on-Sea only and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of adequate off street parking space in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

6 This permission relates to the plans as submitted and amended by substitute plans dated 30-06-2006.

Reason: For the avoidance of doubt.