**M/70/07/**

## PLANNING APPLICATIONS REPORT

| | | |
|---|---|---|
| DESCRIPTION/ ADDRESS | - | Single Storey Extension to provide two bedrooms and addition of conservatory<br>70 Ancton Way, Elmer, Middleton |

### THE SITE AND ITS SURROUNDINGS

| | |
|---|---|
| DESCRIPTION OF APPLICATION | Single storey extension to measure approximately 4.5 metres in height, 5 metres in width with a depth of 1.8 metres. The extension will be rendered to match the original building and will follow the existing roof line and height.<br><br>Conservatory to the rear of property will measure approximately 3.1 metres in width and 3.2 metres in height. The existing kitchen is also to be extended, bringing the total depth of the conservatory element to 5.5 metres. It will be constructed from white uPVC with double glazed windows.<br><br>This is a retrospective application. |
| SITE AREA | Approximately 335 square metres |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A |
| TOPOGRAPHY | Predominantly Flat |
| TREES | There is a Tree Preservation Order attached to this site but no trees are affected by this proposal. |
| BOUNDARY TREATMENT | Open plan frontage. Rear is enclosed by fencing approximately 1.8 metres in height on north and eastern boundary, with hedging to an approximate height of 1.5 metres on the western boundary. |
| SITE CHARACTERISTICS | One storey detached property with rendered walls and pitched tiled roof. White cladding to gable end at the front. Proposed extension and conservatory already in situ to the rear. |
| CHARACTER OF LOCALITY | Residential area characterised by detached properties of 1 and 1.5 storeys. Woods to rear of site. |

### RELEVANT PLANNING HISTORY

| REFERENCE | DESCRIPTION | DECISION |
|---|---|---|
| | None of relevance | |

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**REPRESENTATIONS RECEIVED**

| SOURCE | SUMMARY OF CONTENT |
|---|---|
| Middleton Parish Council | No Objection |
| LOCAL GROUPS | None |
| One letter of objection | • Very close to neighbouring bungalow (No 72)<br>• Takes away the sun and light to rear of neighbouring bungalow (No.72), restricting illumination to the rear bedrooms of neighbouring property<br>• Severe damage to front and rear fences<br>• Erection of extension from kitchen to conservatory not on plans |

**CONSULTATION RESPONSES**

| CONSULTEE | SUMMARY OF RESPONSE |
|---|---|
| Environment Agency | Floor levels within the proposed development should be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. |

**POLICY CONTEXT**

| DESIGNATION APPLICABLE TO SITE |
|---|
| Within Built-up Area Boundary<br>Tree Preservation Order |

**DEVELOPMENT PLAN POLICIES**

West Sussex Structure Plan : LOC1, DEV1, ERA4
Arun District Local Plan : GEN2, GEN7, GEN10, DEV19

**PLANNING POLICY GUIDANCE**

| | |
|---|---|
| PPS1 | - Delivering Sustainable Development |
| PPS25 | - Development and Flood Risk |

**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.

**COMMENT ON CONSULTATION RESPONSES**

This is a retrospective application and therefore the conservatory and extension are already in situ. The applicant has confirmed in writing that the floor levels of the extension and the conservatory are not lower than the original building.

**COMMENT ON REPRESENTATIONS RECEIVED**

Noted. The comments are made in reference to the conservatory, which neighbours the

## COMMENT ON REPRESENTATIONS RECEIVED

boundary with No.72. The conservatory is close to No.72 Ancton Way, but the applicant has signed Certificate A, which certifies that the development is completely within the boundary of No 70 Ancton Way. Properties on Ancton Way, and especially the properties surrounding the application site, are built very close together and therefore inevitably any development will be close to the boundaries. However, it is not considered that the extension is too overbearing or overshadowing, being only 3.2 metres in height. The applicants are entitled to erect a fence of 2 metres on the boundary without the need for a formal application. With this in mind, the proposed conservatory would only be 1.2 metres greater than the permitted 2 metre boundary screening and approximately 0.8 metres consists of the pitched roof, which is sloping away from the boundary with No. 72. It is not therefore considered that any adverse overshadowing or overbearing will result.

Any damage to fencing caused by the construction of the proposed extension and conservatory is a private matter.

The space between the kitchen and the conservatory is shown on the plans and is included within this application. It is considered that the applicant has indicated clearly what is being applied for by highlighting the elements in red on the block plan.

## 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 it would have no materially adverse effect on either the visual amenities of the locality or residential amenities of 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

This application is for a single storey extension and conservatory to the rear of the property. The extension will measure approximately 4.5 metres in height, 5 metres in width with a depth of 1.8 metres. It will be rendered to match the original building and will follow the existing roof line and height. The conservatory to the rear of property will measure approximately 3 metres in width, approximately 3.2 metres in depth with a height of 3.2 metres. It will be constructed from white uPVC with double glazed windows. The existing kitchen will also be extended by approximately 1.6 metres which will lead into the conservatory. This is a retrospective application.

The proposal is considered acceptable and it is considered that demonstrable harm will not

**CONCLUSIONS**

arise through overlooking, overshadowing or overbearing. No windows are proposed on the western side of the conservatory which would overlook No.72 and the only glass element will be the pitched roof, which will not lead to any overlooking. The conservatory is to be approximately 3.2 metres in height, with the height from eaves to the ridge measuring approximately 0.8 metres in height. If the applicant used his permitted development rights to erect boundary screening on the western boundary, fencing at a height of 2 metres could be erected. The proposed conservatory is only 1.2 metres above this height, with 0.8 metres of this being the roof, which will be sloping away from No.72. The extension of the kitchen is also approximately 2.5 metres in height and therefore it is not considered that any overlooking, overshadowing or overbearing effect will result from the proposed conservatory.

No windows are proposed on the eastern elevation of the proposed single storey extension and the windows on the front elevation will be at ground floor level and therefore there are no concerns relating to overlooking from this element of the proposal. Further, it is not considered the extension will result in an adverse overbearing or overshadowing effect, nor have an adverse effect on the amenities of neighbouring properties.

All elements of this application are considered acceptable in terms of design, form, scale and materials and the extensions remain visually subservient to the main building. Further, it is not considered that the addition of these extensions will jeopardise the established character of the area. Considering all the above it is not considered that the residential amenities of neighbouring properties will be adversely affected by this proposal and it is therefore recommended the application be approved, subject to the following conditions.

**RECOMMENDATION** M/70/07/

**TOWN AND COUNTRY PLANNING ACT 1990**

# RECOMMENDATION

**Application Ref: M/70/07/**

1 **To Addressee**

2 **Site Address**

70 Ancton Way
Elmer

3 **Description of Development**

Single storey extension to provide two bedrooms & addition of conservatory.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

# RECOMMENDATION



CONDITION 1 Floor levels within the proposed development shall be maintained at a level no lower than existing levels of the dwelling.

Reason: To mitigate the risk of flooding in accordance with policies ERA4 of the West Sussex Structure Plan and GEN10 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, DEV1, ERA4

LOCAL PLAN: GEN2, GEN7, GEN10, DEV19

NATIONAL POLICIES: PPS1, PPS25

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Ms J Searle