

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

REF NO: M/71/20/HH

LOCATION: 18 Sea Way
Elmer
Middleton-On-Sea
PO22 6JY

PROPOSAL: Construction of first floor dormer to provide enlarged bathroom and wardrobe/storage, construction of detached garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a first floor dormer, and a detached garage.

RELEVANT SITE HISTORY

M/108/15/HH	Two storey extension to provide two bedrooms, extension to south side to provide pitched roof over entrance lobby & coat cupboard, extension to north side to provide pitched roof over kitchen / utility room	ApproveConditionally 23-12-15
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REPRESENTATIONS

Parish Council - Objection.
There are no groundwater displacement remedies in place.

6 letters of objection:

- The garage is out of character with the building line of the area.
- The garage will spoil the view from 16 Sea Way.
- The garage is overdevelopment.
- The garage will cause overshadowing.
- Surface Water Concerns.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

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)
DSP1	D SP1 Design
WDM2	W DM2 Flood Risk

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

DESIGN AND VISUAL AMENITY

The proposed garage is sited to the front elevation of the host dwelling, and as such, there will be views of the proposal from within the public realm. As such, the visual appearance of the garage is a large consideration of the application, as there are few examples of garages within the area.

The proposed garage represents the first example of a detached garage along the Western side of Sea Way, and is sited forward of the host dwelling, 1m away from the front boundary of the application site. It is considered in this instance, that the garage is appropriately designed in order to not represent an unduly dominant building within the street scene. The front boundary of the application site is bordered by foliage of approximately 2m in height, which is considered to screen the views of approximately half of the proposed garage from the public view.

The proposed garage has a maximum height of 4m, however, this is reached approximately 3.1m away from the front boundary (due to the slope angle) which brings it broadly in line with the front elevation of the neighbouring dwelling to the South. As such, whilst the footprint of the proposal itself may sit forward of the building line within the locality, it is considered that as a result of the design of the proposal, its scale and the use of matching materials.

The proposed roof alterations are considered to appear well integrated with the host dwelling as a whole as a result of its siting, and modest scale. Furthermore, there are examples of similar roof extensions within the area, as the locality is host to a variety of differing methods of achieving roof accommodation.

The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan, in that whilst it is noted that the garage will have a visual presence within the street scene, it is not considered to

result in any significantly harmful impact upon the character of the host dwelling, or its locality.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overbearing impacts upon the occupiers of neighbouring dwellings. This is as a result of the scale and siting of the proposed development, and furthermore, the aspect of the development site allowing any shadowing caused by the garage to fall within the application site itself. With regard to potential for loss of privacy, the application is not considered to result in any harm to the occupiers of neighbouring dwellings due to the fact that the dormer windows are shown as obscure glazed, and will be conditioned to be retained as such.

The application is considered to be in accordance with D DM1(3) of the Arun Local Plan.

FLOODING

W DM2 is the Policy of the Arun Local Plan relating to Flood Risk. The application site is located in Flood Zone 3 & 2, and as such is deemed to be at risk of flooding. As per the Paragraph 43 of the NPPF, there is no necessary sequential test, as the proposal is deemed to be minor development. However, The Council's Drainage Engineers have made comment relating to the proposed detached garage. The proposal is therefore considered to be in accordance with policy W DM2 of the Arun Local Plan. Following discussion with the agent, it has been agreed that groundwater monitoring and testing will take place and an appropriate discharge scheme has been agreed.

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

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:

- Location Plan and Block Plan - 11521.13
- Proposed First Floor - 11521.14
- Proposed Section and Elevations - 11521.15
- Garage Floor Plan and Elevations - 11521.16
- Proposed Garage - 11521.17

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 The windows at first floor level in the Northern elevation of the building shall at all times be and remain glazed entirely with obscure glass and be fixed shut, below 1.7m from internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the

Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 6 **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.