

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

REF NO: M/76/21/HH

LOCATION: 38 Sea Way
Middleton-On-Sea
PO22 7SA

PROPOSAL: Erection of two storey side and rear extension and single storey front extension with balcony above

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Creation of pitched roof garage to the front of the dwelling to be attached to the house with a single storey extension with balcony above. There would be a two storey pitched roof extension to the rear in part over an existing single storey extension. A 2.2m high wall is proposed to the front.
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RELEVANT SITE HISTORY

M/57/01/	To provide supplementary habitable accommodation at first floor level	ApproveConditionally 25-09-01
M/15/01/	To provide supplementary habitable accommodation at first floor level	Refused 05-06-01
M/9/67	Alterations To Approved Plans For Rebuilding Of House And Garage	ApproveConditionally 08-03-67

REPRESENTATIONS

9 Letters of Support

- Good to see modern design
- Happy to have next to 100 year old cottage
- Excellent design and high quality materials.
- Privacy will not be damaged
- Compliments seaside landscape
- Existing building no architectural merit
- Minimises overlooking
- Positive and sensitive plan

Middleton-on Sea Association:- No objection - widening of driveway will need consent of association.

CONSULTATION RESPONSES RECEIVED:

No consultations undertaken. Representations noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area

Area of Character

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
HERDM4	HER DM4 Areas of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD7	Middleton on Sea Village Design Statement

CONCLUSIONS

The key policies are D DM1, D DM4 and HER DM4 of the Arun Local Plan.

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 states planning permission will be granted the retention of buildings and features that make a positive contribution to the area, the maintenance of appropriate uses and the development preserving and where possible enhancing these areas.

Middleton does not have a Neighbourhood Plan but does have a Village Design Statement which covers this area.

DESIGN AND VISUAL AMENITY

The dwelling was originally constructed in the late 1960's of a design appropriate to the time. It later had

approval for an extension in 2001.

The site is occupied by a two storey, blue painted, detached dwelling of no particular merit with gardens to the front and rear. The character of the area is of mainly large detached houses in sizeable plots. This part of Sea Way has a staggered frontage with no particular "building line". The road is occupied by large detached dwellings of various styles and from various periods with differing materials.

The addition to the front would bring the building significantly closer to the road but no further forward than its neighbour to the east. The addition at the front is single storey with a pitched roof double garage and extended ground floor accommodation. The materials, whilst different to the existing, are not out of character with the mixed area which includes brick, render, cladding and other materials.

To the rear would be a two storey pitched roof extension which is larger than the existing single storey extension.

The wall to the front is high but there are other examples of boundary treatments of a similar height in the street. The wall replaces a garden fence.

The additional width of the access would have a minor impact on the street scene but not an unacceptable one.

Section M of the Design Guide refers to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale and massing.

Whilst the changes to the building are considerable and there would be an impact on the street scene as a result of extensions and the new materials to the building it is considered this is achieved, with the addition appearing sympathetic in design with the area and whilst having a more contemporary appearance.

The change to the design of the building would have an impact on the character of the area however it would not harmfully detract from the Area of Character.

The proposal does not result in an adverse impact on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4 and HER DM4 of the Arun Local Plan and Part M of the Design Guide

RESIDENTIAL AMENITY

The front extension has a balcony at first floor level which could provide adverse overlooking to the property to the west. However this is proposed to have an obscure glazed screen which will prevent demonstrable harm through overlooking. A condition can be used to control this.

The changes to the building result in additional windows at the second floor in the extension to the rear. To the east and west these windows have been carefully designed to be high level so that overlooking does not take place. There is one window to the west in the rear extension that is not high level - this is to a bathroom and it would be reasonable to require obscure glazing.

The first floor level windows in the rear of the two storey extension are sited far enough way from the dwelling at the rear such that demonstrable harm through overlooking would not take place.

The two storey rear extension would have some overshadowing impacts on its neighbours to the east and west. However this would not result in a reason for refusal due to the separation between the properties and relative positions. The same applies to overbearing.

The extension to the front is modest in size. Whilst the pitched roof garage would have some overshadowing impact to the west this would be modest and to the front garden of the neighbour.

The development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan and Part M of the Design Guide.

SUMMARY

The 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.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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:-

PA-361-VIS1
PA-361-06
PA-361-06.1
PA-361-07
PA-361-08
PA-361-09-REVA
PA-361-09.1
PA-361-10

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 first floor bathroom window on the west elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 4 The green roof area of the extension 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.

The obscure glazed balcony screen on the west elevation shall be in situ before the use of the balcony is first commenced and shall be retained in perpetuity.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy D DM4 of the Arun Local Plan.

- 5 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.