

Recommendation Report for Planning Permission

REF NO: M/78/18/PL

LOCATION: 25 Sea Way
Middleton-On-Sea
PO22 7RZ

PROPOSAL: Demolition of existing house & construction of new 2 storey detached 4-Bedroom dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approx. 1004 metres squared / 0.1 ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	10 Dwellings per hectare (0.1 ha / 1 dwelling)
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. When the existing and proposed plot plans are compared the majority of planting is to be retained. Of note, however is the removal of a small sycamore to the rear of the site and small Laurel tree by the south east corner of the existing building. While the loss of any tree is regrettable, given the size of the trees officers do not consider that they would have significant amenity value, such that its loss would have a detrimental impact on the amenity of the wider area. Officers note that this will open up views of the proposal when viewed from the beach to the rear but do not consider that this would have a detrimental impact on the wider area.
BOUNDARY TREATMENT	The previous dwelling has been demolished. The front boundary of the site is home to a large, 2.5m high hedge. The rear elevation is predominantly low trellis-style fencing, while the rest of the site is bordered by a mix of fencing and foliage.
SITE CHARACTERISTICS	The site was previously populated by a large two storey dwelling with a large rear garden. The first floor of the property was clad with clay tiles, whereas the ground floor was coated in render. Following the site clearance, the aforementioned dwelling has been demolished however the boundary treatment appears to have been retained, as aforementioned.
CHARACTER OF LOCALITY	The area is home to a unique mix of housing sizes, styles and designs.

Officers note the previous applications, in particular application ref: M/41/18/HH, which was withdrawn, for the Extension to 1st floor incorporating rooms within the roof space for new 2nd floor & single storey rear extension with balcony above.

Officers note that this application sought to amend the existing dwelling rather than the demolition and

erection of a completely new dwelling as per this application. Officers note the size, scale and massing of the previously withdrawn application and that the current application also seeks planning permission for the erection of a larger property than the previous dwelling on the site. Officers also note the difference in design of the current proposal over that proposed under previously withdrawn application ref: M/41/18/HH. This will be discussed further on in the Design and Visual Amenity/Area of Special Character section of the Conclusions section below.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Middleton Parish Council: No objection.

1 Letter of neighbour representation has been received in support and is as follows:

The proposed plans for this new house look superb and will be excellent addition to Sea Way.

COMMENTS ON REPRESENTATIONS RECEIVED:

Officers note that 1 letter of neighbour representation and no letters of objection have been received. Officers also note that the Parish Council do not object to this application.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineer: Has been consulted but no formal written response received. Following verbal discussions with the Drainage Engineer, on the 01/11/2018 they do not consider there to be any drainage issues as a result of the new dwelling, given its siting. As such, they do not object.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary

Area of Special Character

Flood Zone 2

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design

ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
HERDM4	HER DM4 Areas of Special 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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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Middleton does not have a 'made' Neighbourhood Development Plan, however, it does have a Village Design Statement, which has been a consideration during the determination of this application.

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 complies with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality, the safety of local highways, the residential

amenities of the adjoining properties or 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

PRINCIPLE:

This site lies within the built up area boundary where development is acceptable in principle in accordance with Arun Local Plan Policy SD SP2 and provided it is in accordance with other policies of the Local Plan covering such issues as visual amenity/character, residential amenity, highway safety & parking and space standards. The site also Lies within the Middleton -on-Sea Estate Character Area where development is acceptable in principle in accordance with Arun Local Plan Policy HER DM4 and the Arun District Council Area of Special Character SPD.

The key policy considerations in the determination of this application are policies HER DM4, D DM1, D DM2, D SP1 and QE SP1 of the adopted Arun Local Plan 2011-2031, the National Planning Policy Framework and the Middleton Village Design Statement.

SUSTAINABILITY:

The application site is set within a residential area and is surrounded by residential dwellings. The proposed 4 bedroom dwelling would simply replace the existing 4 bed dwellinghouse, within an existing residential estate (Middleton-on-Sea rather than lead to the addition of a dwellinghouse. Therefore, even though the nearest bus stop is a distance away along the B2132 Officers consider the location to be acceptable as it forms part of the existing Middleton-on-Sea Estate. It is not considered that there are harmful environmental costs to the proposal, therefore Officers consider the location to be acceptable with regard to sustainability.

The applicant has stated in the submitted Design and access statement ways that the proposal is efficient in terms of energy and water usage, and how the general level of accessibility is concerned e.g. Rainwater run-off will be harvested in water butts for later use in garden watering, with any limited surplus running to soakaways.

It is therefore considered that the proposal complies with Policy SD SP1 of the Arun Local Plan 2011-2031 and the guidance on sustainable development within the NPPF.

VISUAL AMENITY & CHARACTER:

As aforementioned, Officers are aware that the previous scheme was withdrawn as a result of the Officer's recommendation. Officers note that this proposal is for a new dwelling rather than amendments to the existing dwelling.

Policy D DM1 of the Arun Local Plan 2011-2031 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout,

density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required."

The Arun District Council - Areas of Special Character SPD states that:

The distinguishing features of this road are the historically important beach huts, made of timber framed construction with dark stained weatherboarding with open space fronting the sea.

The Middleton-on-Sea Village Design Guide :Design Guidance for the Area of Special Character states that new development should:

Settlement Pattern:

- Comply with the structure and Local Plan Policies.
- Comply with the Arun District Council Supplementary Planning Guidance for this Area of Special Character.
- Preserve the character of the of the Area of Special Character .
- Retain the existing pattern of low density properties set well back from the road.
- Encourage and preserving boundary hedges and walls.

Design Guidelines:

- Three storey buildings are not in keeping with the area and must be avoided.
- The characteristic mix of building materials should be maintained and match those of existing buildings.
- Roofs should be of thatch or traditional clay tiles
- Dormer windows should not dominate the roof and should have pitched roofs. Windows should be of similar size or smaller than the windows below.
- The inclusion of chimneys in new designs and the retention of existing chimneys are encouraged.

-The use of traditional timber or metal window frames is encouraged.

While consideration should be had to the Middleton-on-Sea Village Design Guide, Officers note that it is a guide and as such carries a more limited weight to that of the adopted Arun Local Plan 2011-2031.

The proposed external materials are as follows:

Doors/Windows: Existing: White uPVC double glazed - Proposed: Grey Powder coated aluminium

Roof: Existing: Plain clay tiles - Proposed: 'Redland Cambrian' slate and glass fibre covering to flat roof areas.

Walls: Existing: painted render finish - Proposed: Multi stock brick to planning approval.

The proposed dwelling has a fairly modern look which is echoed in the proposed external materials, as above. Officers note that the Middleton-on-Sea Village Design Guide states that the characteristic mix of building materials should be maintained and match those of existing buildings and that roofs should be of thatch or traditional clay tiles. Therefore having regard to the Officers site visit and the materials used in nearby dwellings it is considered that the above proposed materials would on principle be acceptable, given the materials used within the wider estate area. Officers note the use of the proposed 'Redland Cambrian' slate for the roof. While it is noted that the predominant roof colour within the estate is red, officers do note that grey and even green roofs feature, therefore the use of a grey roof 'covering' is deemed acceptable. Officers note the proposed use of slate rather than the more common clay tile, and note that it is in keeping with the more modern design of the proposal. Additionally the proposed dwelling would be set back from the highway by over 11 metres at its minimum. Therefore, Officers consider that the proposed grey slate would be acceptable.

While the applicant has not stated what multistock brick they wish to use an appropriate materials condition will, be imposed upon any grant of planning permission. As such it is considered that the proposed materials would be acceptable within the Area of Special Character.

Officers note that the proposed dwelling would replace a dwelling rather than increase the number of dwellings within the estate. Also noted is that the proposed dwelling would be sited in a similar position and have a similar footprint, albeit slightly larger, to that of the previous dwelling. As such Officers consider that the proposed dwelling would retain the existing pattern of low density properties set well back from the road.

Therefore, it is considered that the proposal would not have a detrimental impact upon the settlement pattern of the estate.

Officers note that along Sea Way and the surrounding areas there a variety of different property styles and consider that, as a result of the proposed extensions and alterations, the resultant property would not have a detrimental impact on the street scene or the wider area.

When viewed from the highway, Sea Way, the proposed dwelling would sit between adjoining property numbers 24 and 26. The proposed dwelling would be set in from the common boundaries by 1.0 metre, which from an assessment of the plans and the Officer's site visit is considered sufficient to ensure that a terracing effect would not be created and that sufficient separation between the dwellings would remain.

While the impact of the proposed views of the property from Sea Way are an important factor, Officers note that views of the proposed dwelling would be visible from the beach to the rear of the site. As

aforementioned, Officers note that the property is of a more modern design to that of the surrounding properties, but do not consider this, by its self, to be a reason for refusal. While the proposed dwelling would be partly screened by the low level planting to the rear of the site, views would still be available. Due to the proposed winnow in the gable end of the central rear projecting element the proposal would, when viewed from the rear appear as a 3 storey dwelling. However, given that the dwelling would be sited in a similar position to that of the previous dwelling, it would be set in from the rear boundary by more than 26 metres. Therefore, it is considered that even though the design of the proposal is fairly modern with substantial glazed areas and that it would be higher than the previous dwelling, having regard to the level of screening and the distance from the rear boundary it is considered that it would not have a detrimental impact on views into and out of the beach area to the rear.

From an assessment of the plans and Officer's site visit the proposed new dwelling, would be acceptable in design terms as it would be of a size and scale that harmonises with the character of the adjoining properties and the wider surrounding area. Therefore the proposals would not be unduly prominent or out of keeping with the design and external appearance of the application dwelling.

Officers note that along South Strand and the surrounding areas there a variety of different property style and consider that, as a result of the proposed extensions and alterations, the resultant property would not have a detrimental impact on the street scene or the wider area.

As aforementioned, The Arun District Council - Areas of Special Character SPD states that:

The distinguishing features of this road are the historically important beach huts, made of timber framed construction with dark stained weatherboarding with open space fronting the sea.

From an assesment of the submitted plans, Officer's site visit and the above assessment it is considered that the proposal would not have a detrimental impact on the historically important beach huts.

It is considered that the proposal would not have a detrimental impact on the street scene, wider area or the nearby historically important beach huts. Therefore, Officers consider that the proposal would not have a detrimental impact on the Area of Special Character.

As such, it is considered that the proposed dormer window(s) would comply with Policy D DM1 and criteria a, b, d and HER DM4 of the Arun Local Plan 2011-2031.

RESIDENTIAL AMENITY:

Arun Local Plan Policy D DM1 requires the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Furthermore, policy D DM4 (c) requires that extensions or alterations do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

It is not considered that the dwelling will result in harmful overlooking of neighbouring properties.

With regard to the windows in the front of the dwelling it is considered that they would allow views out toward Sea Way and out over the front gardens of adjoining properties, areas that are already substantially overlooked.

The proposal includes 2 balconies to the rear of the dwelling, one which would serve bedroom 2 and the other would serve the master bedroom. Officers note that the previous dwelling also featured a balcony adjacent to the common boundary of adjoining property number 23, which allowed views out over the rear of adjoining property number 23. The applicant proposes 1.7 metre high screening to the sides of the balcony. Officers consider that if the side screening is obscurely glazed, any direct overlooking toward the rear (primary amenity space) of adjoining properties would be mitigated. Officers consider a condition requiring the balcony side screening to be obscurely glazed would be appropriate and as such would be imposed upon any grant of planning permission. Therefore, any overlooking from the proposed balconies, toward adjoining properties 23 and 27, is considered to be at an angle over the rear portion of the rear amenity space (gardens). Therefore, Officers consider that no detrimental overlooking would occur to the occupiers of adjoining properties as a result of the proposed balcony elements.

Officers also consider that there would be no detrimental overlooking, to the occupiers of adjoining properties, from the proposed glazing in the rear elevation. This is because, like the balcony assessment above, it is considered that any overlooking would be at an angle over the rear of the rear amenity space (gardens) of adjoining properties.

The proposed balconies and rear glazing would allow views out toward the beach to the rear, which is an area that is already overlooked. Therefore, Officers do not consider that that increased levels of glazing would have a detrimental impact on the users of the beach with regard to overlooking.

It is noted that there is a small window in the rear gable end of what appears to be a garage at adjoining property number 27. It is not clear what this window serves. Due to the orientation of the properties, with the rear elevations facing south, it is considered that some loss of light/overshadowing would occur to number 27. However it is considered that any loss of light/overshadowing would not be such that it would be considered to be detrimental.

Adjoining property number 23 features a number of dormer windows into the rear roof slope, with nearest set in from the common boundary approximately 2.8 metres. Given the separation distance, that the orientation of the dwellings and that a balcony is proposed close to the common boundary of number 23, which would reduce the built form, it is considered that any loss of light to the dormer windows would be minimal.

Therefore, having regard to the above assessment it is considered that no detrimental loss of light and overshadowing would occur to the occupiers of adjoining property numbers 23 and 27.

The only windows proposed into the side elevations at first floor level are, 2 windows into west elevation and 1 window into the east elevation, which would all serve en-suite bathrooms. In order to ensure that no overlooking occurs from these windows an appropriate obscure glazing condition would be imposed on any grant of planning permission.

Officers note the proposed side window at ground floor level in the western elevation, which would serve a kitchen. This window would face towards the very rear (primary amenity space, of adjoining property number 27. However, given the 1.8 metre high close boarded fence, Officers consider that the window would be sufficiently screened and that any overlooking would be limited.

While the proposed dwelling would have a slightly larger footprint which would bring the built form closer to the common boundaries of adjoining properties 23 and 27, it would be set in by 1.0 metre. Additionally, given that the proposed dwelling would be 2 storeys Officers consider that this separation distance would be acceptable.

Due to the size, scale and siting of the proposal it is considered that it would not have an overbearing impact on the occupiers or adjoining properties.

Officers consider that the proposal would not have a detrimental impact on the occupiers of adjoining and neighbouring properties with regard to, overlooking, overshadowing, overbearing effect and loss of light/sunlight.

As such it is considered that the proposal would comply with policies D DM1 and QE SP1 of the Arun Local Plan 2011 - 2031.

DRAINAGE:

The applicant notes in the submitted Design and Access Statement that they intend to implement sustainable drainage measures:

Rainwater run-off will be collected in water butts where possible, with surplus running to new soakaways located a suitable distance from new and existing buildings.

Permeable surfacing will be implemented in areas of new hardstanding or hard surfaces, such as the parking and patios.

Existing trees will be retained on-site and additional landscape planting proposed, thereby aiding water absorption and mitigating surface water impact.

Rainwater run-off will be collected in water butts where possible, with surplus running to new soakaways located a suitable distance from new and existing buildings.

Permeable surfacing will be implemented in areas of new hardstanding or hard surfaces, such as the parking and patios.

Existing trees will be retained on-site and additional landscape planting proposed, thereby aiding water absorption and mitigating surface water impact.

With regard to foul water drainage, the applicant has stated in the submitted Design and Access Statement that new drain runs will be taken to existing private drains which are then discharged to the public foul water sewerage system located in Sea Way.

The Council's Drainage Engineer has been consulted but no formal written response received. Following verbal discussions with the Drainage Engineer, on the 01/11/2018 they do not consider there to be any drainage issues as a result of the new dwelling, given its siting. As such, they do not object.

As such it is considered that the proposed new dwelling would not have a detrimental impact with regard to drainage.

FLOODING AND FLOOD RISK:

Having regard to both the council's and the Environment Agency Flood Mapping, the rear of the site falls within Flood zone 2. The Applicant has stated in the submitted Design and Access Statement that floor levels will be a minimum of 150 mm above ground level which is slightly higher than the existing house. The proposal would be sited in almost the same location, would not have a footprint significantly larger than that of the previous dwelling and it would only be marginally within the Flood Zone 2. As such, Officers do not consider that the proposal would have a detrimental impact on either flooding or flood risk.

PARKING AND HIGHWAY SAFETY:

Arun Local Plan 2011-2031 policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted the SPG - Parking Standards Arun District 2000 and the standards as set out in the 2003 Arun District Plan. Development proposals should comply with the appropriate guidance as set out within these documents.

Prior to the demolition of the previous dwelling the applicant has stated on the submitted application there was space for the parking of 4 cars off-road to the front of the dwelling. The applicant has confirmed on the submitted application form that 4 parking spaces would still be provided. Having regard to the Submitted plans it is considered that 4 off-road parking spaces could be accommodated to the front of the proposed dwelling. From an assessment the proposal would adhere with the West Sussex County Council guidance on parking provision.

Access to the site would be via the existing 'in and out accesses to the front of the application site.

Therefore it is considered that the proposal would not have a detrimental impact on parking and highway safety. As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan 2011 - 2031.

SPACE STANDARDS

Policy D DM2 of the Arun Local Plan applies (Internal space standards) which confirms that the planning authority will require internal spaces to be an appropriate size having regard to the Nationally Described

Space Standards. Having regard to the Technical housing standards - nationally described space standard a 2 storey, 4 bedroomed, 8 person (bed spaces) dwelling would require 124 metres squared of gross internal floor area (minimum (including storage)) with 3.0 metres of built in storage. The proposed dwelling would have 194.0686 metres squared of gross internal floor area (including 5.7 metres of built in storage). The 194.0686 metres squared of gross internal floor area includes a utility room. Not including the utility room the proposed dwelling would have a 183.8686 metres squared of gross internal floor area. The proposal would comply with national internal space standards.

Officers note that the Council does not have a Policy regarding external amenity space provision. Arun Local Plan policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. However, from an assessment of the submitted plans it is noted that a rear garden with a depth of over 26 metres would be provided. Therefore, Officers consider the proposed amenity space is acceptable.

As such, the proposal would adhere with Policy D DM1 and D DM2 of the Arun Local Plan 2011 - 2031

LANDSCAPING:

The Middleton Village Design Guide states that:

'Houses on the estate are sited on large plots retaining open spaces around them. Well maintained lawn frontages and mature shrub filled gardens set the scene.....'

and

'.....Mature Gardens are a distinctive feature of the Area of Special Character with hedges, shrubs and trees bordering roads.....'

Details of hard and soft landscaping have been provided, however no details of the proposed permeable paved driveway to front have been given. The proposed Plot Plan rev A merely states that the permeable paved driveway to front is to be to planning approval. Therefore, as the site is within the Area of Special Character a condition will be imposed upon any grant of planning permission requesting details of the proposed permeable paved driveway.

As aforementioned within the tree section above, when The existing and proposed plot plans are compared the majority of planting is to be retained. Additionally it should be noted that the planting (hedging) to the front of the application site, incorporating a cherry tree and a buddleia, is to be retained.

Therefore, subject to the aforementioned condition Officers consider that proposed landscaping to be acceptable

SUMMARY.

This proposal is considered to represent an efficient use of urban brownfield land and does so without compromising the visual amenity of the area, highway safety or the amenities of existing residential occupiers. It is therefore recommended that permission be granted subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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:

Location Plan
 Existing Site/Roof Plan rev A
 Existing Plot Plan rev A
 Existing Streetscene Elevation rev A
 Existing Ground Floor Plan rev A
 Existing First Floor Plan rev A
 Proposed Site/Roof Plan
 Proposed First Floor Plan rev A
 Proposed Ground Floor Plan rev A
 Proposed Front/Side Elevations rev A
 Proposed Rear/Side Elevations rev A

Proposed Plot Plan rev A
Proposed Streetscene Elevation rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and T SP1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls, including plinth and decorative banding details, along with details of the materials to be used in the permeable paved driveway of the proposed new dwelling have been submitted to and approved by the Local Planning Authority. The materials so approved shall be used in the construction of the new dwelling.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the visual amenity of this area of special character in accordance with policies D DM1, D SP1 and HER DM4 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority and retained thereafter once agreed.

Reason: To provide alternative travel options to the use of the car in accordance with policy T SP1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until the car parking (permeable hard surfacing to front), as shown on the approved plan entitled Proposed Plot Plan Rev A, has been constructed. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with policy T SP1 of the Arun Local Plan.

- 6 The first floor windows, serving the en-suite bathrooms, in the east and west elevations of the building shall at all times be glazed with obscured glass and non-opening up to a height of 1.7 metres from the floor of the room that they serve.

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

- 7 The side glazed screens serving the proposed balconies, as shown on the approved Proposed Front/Side Elevations Plan and Proposed Rear/Side Elevations Plan, shall be obscurely glazed, to the satisfaction of the Local Planning Authority, before first occupation and shall remain so at all times thereafter.

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

- 8 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.