

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

REF NO: M/81/19/HH

LOCATION: 12 Tudor Close
Middleton-On-Sea
PO22 6DN

PROPOSAL: Extension and conversion of detached garage to form ancillary annexe accommodation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to extend the existing detached garage, and covert it internally to form ancillary accommodation.

RELEVANT SITE HISTORY

M/66/98/	Bedroom extension to first floor and room outside to ground floor.	ApproveConditionally 06-11-98
M/52/97	Erection of conservatory and porch	ApproveConditionally 25-07-97

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Parish Council - No objection

- No objection subject to the imposition of a condition to ensure that the building was solely used for the occupiers of 12 Tudor Close, and not a separate unit of accommodation.

CONSULTATIONS

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

The Council's Drainage Engineer -

The site is within the Lidsey Catchment area, therefore, surface water design should be carefully controlled. The applicant should carry out groundwater monitoring and testing before any development commences.

OFFICERS COMMENTS ON CONSULTATIONS:

Comments noted. The proposed development is not significantly larger than what could be constructed under permitted development, therefore, it would not be reasonable to apply the proposed condition.

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 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.

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.

DESIGN AND VISUAL AMENITY

Due to the siting of the proposed development, it will not be visible from the street scene of Tudor Close. As such, the proposed development will have a limited impact upon the character of the host dwelling, and its wider locality. With regard to its appearance as an extension of the existing garage, it is considered to appear well integrated with the existing garage, due to the proposed materials, and modest scale.

Therefore, the proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significantly harmful impact on the

residential amenities of neighbouring dwellings by way of overshadowing, or overbearing impact. This is due to the siting of the proposal allowing a separation distance which mitigates any potential for harm. With regard to loss of privacy, it is considered that due to the single storey nature of the proposal, and intervening boundary treatment, the proposed development will not give rise to any loss of privacy to the occupiers of nearby dwellings.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

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 & Site Plan - 13/09/2019
- Proposed Ground Floor Plan - 13/09/2019 - Rev. B
- Proposed Elevations - 13/09/2019

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 accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 12 Tudor Close, Middleton-on-Sea as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 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.