

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

REF NO: M/82/20/HH

LOCATION: 18 Manor Way
Elmer
Middleton-On-Sea
PO22 6LA

PROPOSAL: Single storey front extension, side extension and rear extension and first floor side extension, addition of a carport and changes to rendering and cladding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey front extension, side extension and a rear extension. Additionally, the construction of a first floor side extension and changes to the materials of the host dwelling.

REPRESENTATIONS

Parish Council - No objection.

1 letter of objection from local occupier:

- The house is not detached.
- The application should take submitted neighbouring application into account also.
- The roof design is unclear on the plans.
- The existing balcony has an obscure screen to prevent overlooking which is 1.9m high.
- The construction will involve demolition of walls not owned by the applicant.
- The proposal will construct a 10m long, 3m high wall along the boundary.
- Part of the roof abuts the ride boundary and could potentially overhang land not owned by the applicant.
- The applicant may require access onto their neighbours garden in order to construct the proposal.
- The proposal will appear prison like from the garden of the neighbouring dwelling.
- The neighbour will not be allowing any access to their land in order to allow the development to be constructed or maintained.

OFFICERS COMMENTS ON OBJECTIONS:

Comments noted. Issues relating to ownership and method of construction are not planning considerations. The other issues raised will be addressed within the conclusion section.

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Middleton Village Design Statement.

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

The development seeks to construct a single storey rear extension below the existing rear balcony area. Additionally, a first floor extension to the Eastern elevation and a front porch extension. The construction of a front extension, and the change of the materials of the host dwelling are considered to result in a significant change in appearance of the dwelling. However, this is not reason alone to prescribe refusal of the application as it must be demonstrated that the proposal would result in harm to the established character of the area. The host dwelling is sited in a locality which plays host to a wide variety of dwelling scales, designs and types. As such, the locality is considered to have a mixed character, and is subject to no harm as a result of the proposed development.

Due to the siting of the rear extension, and the boundary treatment, there are few views of the proposal available from the public realm. Furthermore, as a result of the rear extension being sited underneath the balcony itself it is considered that it would appear subservient to the host dwelling, and well integrated with its built form.

The two storey side extension is considered to have design merit, and to be a well designed extension to

the host dwelling. This is as a result of the use of materials to match the rest of the host dwelling, furthermore, the eaves height matching that of the host dwelling, with a ridge height approximately 1m lower than the main bulk of the roof. Resultant of these factors, the proposal is considered to appear subservient to the host dwelling, and well integrated with its built form.

The application is considered to be in accordance with policies D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any undue overbearing or overshadowing impact upon the occupiers of nearby dwellings. The single storey elements of the proposal are sited predominantly along the Western boundary of the site, at a height of approximately 3m. As it stands at the site, this abuts a garage on the neighbouring site, and then projects to the rear of this by approximately 3.5m. Whilst it is noted that there is an existing application which includes the removal of this garage, as there has been no permission granted for said removal it cannot be a consideration of which holds significant weight in this instance. The extensions adjacent to this boundary is approximately 3m in height, and whilst it runs approximately 12m of the boundary, this is considered to be a reasonably standard side-to-side relationship for the locality, especially given the alternative siting of the host dwelling.

The proposed two storey element of the host dwelling is sited a significant distance from neighbouring occupiers which is considered to mitigate any harmful impacts as a result of this.

The development is not considered to result in loss of privacy to the occupiers of nearby dwellings, in that the majority of the proposal is single storey in nature, with the first floor element being sited a significant distance from the neighbouring dwelling. Furthermore, there views available from the balcony are not considered to change as the balcony is existing. The screening on the Western elevation will be conditioned to be retained.

The development is considered to accord 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 plan:

- Proposed Plans - KAD - 01 - A - PRO - Rev. F

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 proposed screening, shown on the Western elevation of the balcony in plan reference 'Proposed Plans - KAD - 01 - A - PRO - Rev. F' shall be retained in perpetuity.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 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.