

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

REF NO: M/83/21/HH

LOCATION: 42 Sea Way
Middleton on Sea
PO22 7SA

PROPOSAL: Single storey rear extension and first floor side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Single storey rear extension measuring approximately 4.3m by 5.5m and a first floor pitch/flat roofed extension to the side (east) extension measuring approximately 3.4m by 7.2m.

RELEVANT SITE HISTORY

M/113/15/HH	Rear single storey extension.	ApproveConditionally 22-12-15
M/71/15/HH	Single storey extension (amendments to M/88/13).	ApproveConditionally 23-09-15
M/88/13/	Single storey extension	ApproveConditionally 17-12-13
M/83/08/	Demolition of garage and erection of two storey rear addition with new detached garage.	ApproveConditionally 03-12-08
M/102/72	Double Garage	Approve 25-10-72

REPRESENTATIONS

Parish Council - No Objection

1 neighbour response - No objection, can consideration be given to overlooking windows and obscure glazing?

Middleton - On - Sea Association - No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

BUAB

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:

SPD7	Middleton on Sea Village Design Statement
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CONCLUSIONS

PRINCIPLE

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.

HER DM4 relates to areas of character and aims to preserve and enhance features such as verges, walls hedges and trees and maintain an appropriate mix of development.

Arun adopted a Design Guide which provides detailed guidance that will help raise design standards. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, side extensions should be subservient to the host dwelling and respect the space between buildings.

Middleton has a village design statement which states proposals should have a high quality design, relate well to the existing site and its surroundings and seek to minimise overshadowing.

DESIGN AND VISUAL AMENITY

The single storey extension will be built from materials to match the existing and be built to an appropriate scale for its intended use. It will not be visible from the street and is subservient to the host dwelling and therefore acceptable.

The first floor extension to the east is above a ground floor bedroom. The size of the extension is appropriate for its intended use. It will be built from materials to match the host dwelling with an eaves line to match; due to the pitched flat roof configuration the ridge height will be far lower than existing.

The extension accords with design guidance in that it set back from the shared side boundary with 40 Sea Way by approximately 700mm.

The first floor extension will be visible from the street scene however, it will be set back from the primary elevation and as such is deemed subservient to the host dwelling and its setting.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The ground floor extension accords with the 45-degree rule and further to the works a large rear garden will be retained. The extension does not encroach on the distance between the building line and the boundary to the west, maintaining a 2.9m gap. Windows for the ground floor extension face the private rear amenity space and no overlooking will occur.

The 45-degree rule is not applicable to the first floor extension as it is located to a side elevation.

The gap at first floor level will be reduced between the extension and neighbouring property 40 Sea Way, however, there is a suitably large distance to remain between the extension and the roof slope to 40 and the proposal does not alter the establish spatial character of the area which is of large 2 storey dwellings on good sized plots.

There has been a comment from the neighbour of No 40 to the east, regarding overlooking windows. They requested the windows on the east elevation be obscure glazed. It is agreed a condition to control these windows to be obscure glazed and fixed shut below 1.7m from ffl would protect the privacy of the adjoining neighbour. There are no other concerns relating to overlooking.

It is considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

AREA OF CHARACTER

The site sits within Middleton's Area of Character. The area stipulates the protection of features such as verges, walls, trees and boundaries. This application does not seek to alter any of these features, it therefore accords with the areas guidance. and with policy HER DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 Liable 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;

- Proposed Ground Floor Plans Sheet 1
- Proposed First Floor Plans Sheet 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 The first floor windows to the east elevation hereby approved shall be non-opening below 1.7m about floor level and fully obscured, prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with policy 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.