

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

REF NO: M/86/19/HH

LOCATION: 44 Sea Way
Middleton-On-Sea
PO22 7SA

PROPOSAL: First floor rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a first floor extension to the host dwelling.
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RELEVANT SITE HISTORY

M/141/18/HH	Single storey rear addition & 2 No. new windows on ground floor west elevation.	ApproveConditionally 02-01-19
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council
Parish Council - No objection.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Within Area of Special 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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM2 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 DM2 of the Arun Local Plan relates to Locally Listed Buildings or Structures of Character. First, it sets out the criteria that should be met by the buildings in order to become locally listed. With relation to the alteration or extensions of buildings on the Local List, it states that the proposal should relate sensitively to the building, respecting its architectural, landscape or historic interest.

DESIGN AND VISUAL AMENITY

The application site is located within an Area of Character. The distinguishing features of this area are the beach huts and the open space of dwellings fronting the sea. This proposal does not affect either of these two features, in that it does not relate to a beach hut, and it is not sited between the dwelling and the sea.

The proposed development is not considered to give rise to any significantly harmful impact on the character of the locality, as a result of its siting allowing few available views of the extension from the street scene. Furthermore, as a result of the design of the proposed extension, it is not considered to give rise to any harmful impact upon the character of the host dwelling. This is because the first floor extension meets the existing dwellings ridge, and eaves height, allowing the proposal to appear subservient to the host dwelling. Furthermore, similar materials to the host dwelling have been proposed, which allows the extension to appear well integrated with the host dwelling. The proposed re-roofing of the existing dormer is considered to resonate with the character of the host dwelling, and appear sympathetic to its appearance.

The proposed development is considered to be in accordance with D DM1, HER DM2, 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 upon the residential amenities of neighbouring dwellings. This is as a result of the scale and siting of the proposed development allowing there to be no significant overbearing, or overshadowing impact on the occupiers of neighbouring dwellings. Whilst the proposed first floor extension has a maximum height of 12.7m, it is noted that this slopes down to a modest height of 3.1m when 1.5m from the boundary of the application site.

The proposed extension features windows, although the majority of the windows proposed are not considered to result in any views that are not available from the application site at current. There are roof lights proposed on the Eastern elevation of the proposal, these will be conditioned so that they do not provide unacceptable overlooking.

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:
 - Proposed Block Plan - 055/022 - 04/10/2019
 - Proposed Ground Floor Plan - 055/023A - 27/09/2019
 - Proposed First Floor Plan - 055/024A - 27/09/2019
 - Proposed Roof Plan - 055/024a - 27/09/2019
 - Proposed Rear & West Elevations - 055/027A - 27/09/2019
 - Proposed Front & East Elevations - 055/026A - 27/09/2019

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 All the windows at first floor level in the Eastern elevation of the building shall at all times be and remain glazed entirely with obscure glass, and fixed to be non-opening, below 1.7 from internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1(3) and D DM4(c) 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.