

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

REF NO: M/92/20/HH

LOCATION: 67-69 Lych Gate House
Elmer Road
Middleton-On-Sea
PO22 6EH

PROPOSAL: Two storey rear extension and single storey front extension, first floor front extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed development seeks to perform a two storey rear extension, a single storey front extension and a first floor front extension.

The measurements of the host dwelling itself stay the same, as there is no roof raising proposed under the application. The proposed single storey front extension is 4.05m wide, 4.45m high and projects 4.75m from the front elevation of the host dwelling. The proposed first floor front extension is 5.45m high, 3.5m wide and projects 3m from the host dwelling. The proposed two storey rear extension projects 6m from the host dwelling, at a maximum height of 6.3m.

REPRESENTATIONS

Middleton Parish Council - Objection.

- Unneighbourly.
- Infringe on privacy.
- No drainage assessment.

3 letters of objection:

- The proposal will result in a loss of privacy by the window serving bedroom 3.
- The extension will block evening sunlight.
- The proposal will result in surface water flooding.
- The block plan is incorrect.

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The plans are considered and assessed as submitted. The drainage concerns are noted and will be addressed via condition.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

The Council's Drainage Engineers - Please apply condition PCENG2.

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

CONCLUSIONS

PRINCIPLE

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, there will be views of the single storey front extension and first floor front extension from the public realm and as such, the proposal will result in a change in appearance of the host dwelling. However, this is not reason alone for refusal of the application as it would have to be established that the application would result in harm to character of the host dwelling, or that of the locality. The locality is of a mixed character, as there are dwellings of mixed scale, design and sitings, utilising a variety of materials. As such, the change to the appearance of the dwelling only adds to this mixed character, and is not considered to have a significantly harmful impact upon it or the character of the area generally.

The proposed front extensions to the host dwelling seek to remodel the host dwelling, with a projection at first floor level and at ground floor level. The proposed extensions are considered to be of a good design, and create a sense of symmetry when viewing the host dwelling. As such, these extensions are considered to appear sympathetic to the host dwelling, and well integrated with the host dwelling. Furthermore, the proposal is considered to accord with Section M of the Arun Design Guide, which relates to household extensions and their built form. The proposal is not considered to overpower the properties within the area and maintains the established building line, in that the proposed ground floor

extensions to not exceed beyond the existing projection.

The proposed rear extension projects from the Northern elevation of the host dwelling by approximately 6m, and is two storey in its nature. As a result of this siting, there will be few available views of the proposal from the public realm. Whilst due to the scale of the proposal it cannot be considered to be a subservient addition to the host dwelling, the extension does not result in any significant impact upon the character of the host dwelling or its locality due to the aforementioned siting.

The proposed development is considered to accord with D DM1, D DM4(b) and (e) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is predominantly as a result of the aspect of the application site and separating distances with neighbouring properties so that whilst the rear projection may give rise to some overbearing impacts, they are not considered to be so harmful as to prescribe refusal of the application. The rear projection will approximately align with the rear elevation of the neighbouring dwelling to the East, but not quite to that of the dwelling to the West. As such, the projection creates a relationship which is reasonably characteristic of the area, and is not considered to significantly overshadow any primary habitable areas of the neighbouring dwellings.

With regard to potential for loss of privacy, the windows on the Northern elevation of the extension are considered to provide views within the application site only. The window proposed on the Eastern elevation is likely to provide undue overlooking into the private amenity area of the neighbouring dwelling, however, it is considered this can be controlled via condition. The same can be said for the window facing towards the West, as this may create views into the first floor windows of the neighbouring dwelling.

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 and Block Plan - November 2020
- Proposed Extensions - Plans and Elevations - Planning - November 2020
- Proposed Extensions - Plans and Elevations - Planning - November 2020

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 windows at first floor level in the Eastern and Western elevations of the proposed extension shall at all times be and remain glazed entirely with obscure glass and fixed to be non-opening, below 1.7m from internal floor level.

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

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The

percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 6 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.