

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

REF NO: M/97/18/HH

LOCATION: 19 Central Drive
Middleton-On-Sea
PO22 7TT

PROPOSAL: First floor rear extension & replacement of balcony balustrading

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a first floor rear extension and for the replacement of the balcony balustrading at first floor. The first floor extension, shown as a sun lounge on the plans, would be constructed over an existing area of the balcony which also comprises the flat roof of a room below. The sun lounge would measure a maximum of 3.3m high (including the lantern) and 16.65sqm of floorspace.

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council
Parish Council provided no objection
No representation from nearby residents.

CONSULTATIONS

Southern Water Planning
Engineers (Drainage)
Engineering Services Manager

CONSULTATION RESPONSES RECEIVED:

Southern Water have requested that an 'Informative' be added in the event of the application being approved.

POLICY CONTEXT

Designation applicable to site:
Built up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

REPORT(ODB)

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SD SP2 of the Arun Local Plan the key policies are considered to be D DM1 and D DM4.

There is no Neighbourhood Plan for Middleton and the Middleton-on-Sea Village Design Statement only relates to the Area of Special Character which this property is not situated within.

The site is occupied by a detached five-bedroomed property overlooking the beach within a private estate. The area consists of properties of varying styles and designs.

There is no relevant site history.

DESIGN & VISUAL AMENITY

The proposal seeks to construct a first floor extension over an existing ground floor projection to the rear elevation to form a sun lounge. The extension would retain its access from bedroom 5 with additional doors to the east and west areas of the balcony. The walls would comprise of plastic panels and glass windows and doors and the roof finished with plain tiles and a glass lantern.

The balustrading would be changed from horizontal bars of painted (white) galvanised steel to glass panels with stainless steel uprights and fixings.

The first floor extension would not be considered to dominate the appearance of the rear elevation as it is in proportion to the existing dwelling. Other properties along the shoreline already have first floor sun lounges and therefore the character of the area would not be harmed. There is no impact on the street scene from Central Drive as the balcony can only be viewed from the rear.

Therefore the design is considered to meet the aims of D SP1 by reflecting the characteristics of the site by materials and finish to match existing.

The extension is visually integrated with the host dwelling by its scale and design and it remains visually subservient to the main building. It has a minimal impact on its surroundings and subsequently complies with Policy D DM4

RESIDENTIAL AMENITY

A balcony and seating area accessed from the first floor is already available to the owners of the host dwelling. No opportunity for additional overlooking would be created by the erection of the proposed sun lounge than is already available by the balcony.

The proposed development is not considered to give rise to any harmful overbearing as the sun lounge

does not increase the footprint of the property nor would it be a dominating feature to neighbouring properties or by viewing it from the shoreline.

Policy D DM1 requires developments have minimal impact to users and occupiers of nearby property and land and the development complies with this.

Therefore the proposal is deemed to be in accordance with policies D DM1, D DM4 and D SP1 of the Arun Local Plan and it is recommended that the application be approved subject to condition.

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.

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:-
Block Plan drawing no. 18/33/4
Planning drawing no.18/33/3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Arun Local Plan.

- 3 **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.

- 4 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

At present the Lidsey catchment is under a Hydraulic Issue, preventing the connection of any additional foul flow into any network. Development flow may be permitted into the Lidsey network if the developer can prove the removal of surface water flows into the system. This must be approved by Southern Water.

Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development".

Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".