

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

REF NO: M/97/20/HH

LOCATION: 10 Lodge Close
Ancton
Middleton-On-Sea
PO22 6NF

PROPOSAL: Conversion of existing garage to habitable room and lifting of flat to accommodate headroom.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to convert the use of the existing side garage to a habitable room, by way of the height increase of the roof. The garage measures 3.3m wide and 4.75m deep.

REPRESENTATIONS

Middleton Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXTDesignation 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

The proposed development is considered to have an acceptable impact upon the character of the area. The majority of the alterations are internal, and the main visual change will be that the roof height will increase approximately 0.45m and the aspect of the building that faces the street scene will have alterations to its fenestration. This is because the existing garage door will be bricked up, and replaced with a window. Whilst this would be a unique feature within locality, however, it is not considered so significant a change that the application should be refused.

The proposed development is considered to be in accordance with policies D DM1, D DM4(a) and (b) of the Arun Local Plan, as a result of the modest scale and design of the development.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development seeks to change the use of the garage to habitable accommodation, in order to ensure that there will be no resultant over intensification of use of the residential plot, a condition is recommended to ensure the new use of the garage will be ancillary in use to the host dwelling. This allows the application to have no significant harmful impact on the character or residential amenities of the locality.

The proposed development incorporates no physical changes that have a significantly unacceptable overshadowing, overlooking or overbearing impact on occupiers of adjacent dwellings. This is due to the modest scale of the height increase and the aspect of the development site. Therefore, 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:

- Proposed Block Plan - 2020.296.04 - Rev. A - December 2020
- Proposed Layouts & Elevations - 2020.296.02 - 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 accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 10 Lodge Close, Middleton as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.