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

REF NO: M/99/23/HH

LOCATION: 22 Sea Way
Elmer
Middleton-on-sea
PO22 6JY

PROPOSAL: Verandah with decking.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks a veranda with decking.

RELEVANT SITE HISTORY

M/79/03/	Single storey extension at front/side of chalet dwelling to form an entrance hall	ApproveConditionally 25-07-03

REPRESENTATIONS

Middleton Parish Council - no objection.
One comment was received relating to the lack of guttering and provision for water flowing off the roof shown on the submitted plans.

One objection was received raising issues relating to:
The roof of the veranda overhanging neighbour's property.
Loss of parking.
Loss of privacy.
Surface water drainage and flooding issues
Impact on the character and appearance of the area.

OFFICER COMMENTS
An amended plan has been submitted showing the gutters and downpipes in response to the comments made. The roof of the veranda will not overhang neighbouring properties, and the proposal will not result in a loss of parking. As the veranda replaces a conservatory, the proposal will not significantly increase the amount of hardstanding on the site. Overlooking, character and visual amenity issues are addressed within the report.

CONSULTATION RESPONSES RECEIVED:

None.

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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE
The key policies are D DM1, D DM4 of the Arun Local Plan and guidance within Arun Design Guide.

DESIGN AND VISUAL AMENITY
22 Sea Way is a two storey detached house. The alterations affect the principal elevation and will be visible on the street scene. The proposal seeks to erect a veranda with decking to the front of the property, in place of a recently removed conservatory and to the north of the property. Sea Way has no consistent predominant building line, and the proposed addition will not disrupt the composition of the street scene. Although decking to the front of properties is not a feature of the area, a variety of structures and materials are present in front of principal elevations.

The veranda extends 8.6m across the front of the property and 7.8m along the north elevation. The decking will be raised 0.6m from the ground at the front of the property to accommodate the slope of the site. The maximum roof height will be 3.7m, sitting well below the roof of the original dwelling, ensuring that the addition remains visually subservient, in accordance with D DM4.

The decking is to be timber and the roof of the structure will be plain tiles, to match the existing roof. This will help the addition to integrate with the existing dwelling.

The proposal will not have a detrimental impact on character and visual amenity and is compliant with relevant Development Plan policies D DM1, D DM4 of the Arun Local Plan, Arun Design Guide.

RESIDENTIAL AMENITY
As the structure is open, and will allow light to pass through, there will not be any unduly detrimental impact of overbearing or overshadowing on nearby properties. There will be a some overlooking impact on the the neighbour to the north, as the veranda will extend close to the boundary on this side. It is noted that there was previously a conservatory to the front of the property, which was raised due to the slope of the site. Therefore, there would previously have been some level of overlooking. The portion of the veranda to the north of the property is fairly narrow, and would likely be used mainly as a passageway to the door on the north elevation. Overall, although there will be an increase in overlooking effect, this is not considered unduly harmful.

The development will not result in adverse effects upon amenity by way of overbearing, overshadowing and does not significantly increase harmful overlooking effects in accordance D DM4 of the Arun Local Plan.

SUMMARY
The proposed development accords with relevant development plan policies and 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

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 not CIL liable.

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 plan - 23/51/4
- Block plan - 23/51/3
- Existing and Proposed Plans 23/51/2A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 The tiles on the roof of the veranda hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.