

PLANNING APPLICATION REPORT

REF NO: M/29/22/HH

LOCATION: Oakwood
102 Middleton Road
Middleton-On-Sea
PO22 6DL

PROPOSAL: Erection of first floor side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks the construction of a first-floor extension above an existing portion of the ground floor. The extension extends approximately 3.5m from the rear wall and by 7.5m from the eastern elevation of the existing dwelling house. It is proposed to be located above the footprint of an existing ground floor extension.

The property is situated in a residential area, characterised by large 1.5/2 storey properties. The properties are all set back from the main road and include mature landscaped gardens most with hedging to their frontages.

This is a resubmission of application M/107/21/HH which was withdrawn due to concerns from relating to the fire safety of the thatch roof. Comments from Building Control confirm that these issues have now been resolved with the introduction of a section of tiled roof covering the most easterly section of the proposed roof.

RELEVANT SITE HISTORY

M/107/21/HH	Erection of first floor side extension	Withdrawn 09-12-21
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REPRESENTATIONS

Middleton Parish Council - No objection.

Middleton-On-Sea Association - No objection.

1 Letter from neighbouring property - Object:
- Fire risk to neighbour from close proximity to thatch.

- Density of structure.
- Loss of light.
- Loss of privacy.
- Loss of value to property.

Comments will be addressed in the conclusion section of this report. Loss of property value are not a material planning consideration.

CONSULTATION RESPONSES RECEIVED:

Arun District Council Building Control. No objection:

- Any new building work involving thatch which is close to the boundary should use the Dorset model.
- The 1m of tiled roof is proposed so as to remove the thatch overhang on the boundary. The hybrid roof covering would still need the Dorset Model (the rafters support both the tiles and the thatch).
- The remaining issues would be of a practical nature such as constructing and supporting the narrow strip of thatch along the rear edge, creating a weatherproof transition between the thatch and tiles (sufficient overlap), creating the horizontal section of valley between bedroom 4 and the new bedroom.

The Council's Building Control Officer has confirmed that there is no concerns in relation to the spread of fire.

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)
HERDM4	HER DM4 Areas of Character
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD7	Middleton on Sea Village Design Statement

CONCLUSIONS

PRINCIPLE

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.

Arun recently adopted a Design Guide. Part M provides detailed guidance that will help raise design standards across the district. Developments should respond to the distinctiveness and characteristics of

their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, side extension should be subservient to the host dwelling, respect the space between buildings and in retain good separation gaps at first floor level or above between neighbouring properties.

Middleton has a Village Design Statement which states proposals should have a high-quality design, relate well to the existing site and its surroundings and seek to minimise overshadowing.

Arun Local Plan Policy HER DM4 (Areas of Character) seeks to retain features which make a positive contribution to the character of the area.

DESIGN AND VISUAL AMENITY

The proposed extension will sit atop an existing single storey addition to the property. Its footprint is equal, albeit the proposed first floor has a small set back on the southern elevation of 800mm, leaving part of the extension flush with the existing rear wall of the house. The proposal extends towards the east by 7.5m and will accommodate an additional small bedroom, new master bedroom and bathroom. In accordance with design guidance, development above an existing structure is seen as an effective use of the site.

The property sits on a good size plot with an immediate neighbour to the east. To the west there is an access drive with another property beyond. The amount of development is appropriate when considered against the size of the plot on which it sits. The design features proposed are appropriately scaled and in-keeping with the existing dwelling, the addition of a first floor above an existing ground floor extension will not compromise the spatial character of the site.

The extension is to be built of materials which match the existing dwelling. It includes a distinctive and characterful thatched roof, appropriate for its setting within the area of character where cohesive design is encouraged within the Village Design Statement and Part M of Design Guidance.

The eaves line of the extension will match the existing dwelling and it is therefore considered to be visually integrated with the host dwelling.

The extension will have little impact on the street scene due to the high hedging and gates to the front of the site. Additionally, the forward most elevation will be built 1.2m back from the primary elevation; behind an existing detached garage. Its ridge height is approximately 1.7m lower, leading to it being both subservient to the existing dwelling and the street scene.

Having regard to design and visual amenity, the proposal accords with D DM1 and D DM4 of the Arun Local Plan, Part M of the Arun Design Guide and the Middleton Design Guide.

RESIDENTIAL AMENITY

The proposed extension would be located approximately 16.1m from its northern boundary behind an existing thatched roof garage, a minimum of 600mm from its eastern boundary shared with 104 Middleton Road and 18.9m from its southern boundary.

Part M of the Design Guidance states that when taking a 45-degree line from the centre of an adjacent neighbouring window at first-floor level, should the proposed development intersect that line there would be the potential for a loss of light to that window/room. As the most southerly point of the extension is flush with the rear wall of 104 Middleton Road, the extension accords with the 45-degree rule. Furthermore, the height of the eaves at the boundary has been increased by only 1.5m, with the bulk of the new roof sloping in towards the centre of the site.

The gap between the proposed first floor addition and the neighbouring property will respect the established existing character between the site, as the close relationship between dwellings is replicated along the boundary including between the garage/ancillary accommodation at 104 and the garage at 102. For this application, the lower section of roof, up to approx. 1.5m in, has been proposed to be tiled which has had the effect of minimising the roof overhang. The overall gap between dwellings will be approx. 1.3m and massing of existing structures either side of the boundary is in keeping and will not to be overbearing.

As a result, the extension will not have an unacceptable unneighbourly impact on its neighbours.

In terms of overshadowing, which has been raised by objectors, given the orientation of the two properties and as the rear elevations are flush with each other, no increase in overshadowing will occur to the habitable space of No.104 Middleton Road.

When applying Part M of the Design Guide, criteria states that rear gardens above 10.5m in length help to protect the amenity of neighbouring occupiers to the rear. The property will maintain a garden length above these recommended levels.

In terms of overlooking all proposed fenestration will face towards the private rear garden or towards the public realm. There currently exist two east facing bedroom windows approximately 8m away from the boundary. These will be obscured by the proposed extension, thereby improving privacy to the neighbouring property. Additionally, due to the mature planting to both sides of the shared boundary further prevents any negative impacts from overlooking.

For the reasons set out above, the proposed extension will not create unacceptable levels of overshadowing and overlooking or be overbearing to neighbouring properties in accordance with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

AREA OF CHARACTER

The site is within the Council's Area of Character Area and is described further in Arun District Council's Area of Character Supplementary Planning Guidance (SPG).

The property is located at the very western edge of the Area of Character where according to the SPG the road widens but the properties are still set back from the road. There is a more formal layout, the properties comprising of 1½ and 2 storeys. Mature landscaping and hedges dominate the street scene.

The appropriate design, location to the rear and detailing of the extension together with the retention of the mature hedging to the front will create a development that will be harmonious with this description and therefore accord with policy HER DM4 of the Arun Local Plan.

FIRE RISK TO NEIGHBOURING PROPERTY

Objections relating to fire risk from the thatch roof have been raised. These are normally matters controlled by Building Control Regulations and not covered by planning legislation. However, the proposed thatch would be built using the Dorset model, an approved Building Regulations Document concerning the spread of fire. The Dorset Model is a construction method to overboard rafters, acting as a 1 hour fire barrier. This will ensure that the altered thatched roof will be constructed in such a way to reduce the spread of fire.

Furthermore, the applicants prior to submitting this new application sought further advice on works to the thatched roof from the Council's building control section. This has resulted in a section of tiled roof (approx. 1.5m) in length being applied to the most eastern edge of the roof as an additional measure to address any concern from fire.

SUMMARY

The proposed development accords with the relevant development plan policies in that the extension is subservient to and relates well to the host dwelling and its wider area. In addition, it will not negatively impact on the residential amenity of the neighbour to the east. The proposal is therefore 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

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 CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 Elevations BD.228.P20 B
- Proposed Plans BD.228.P10

- Location and Block Plan BD.228.P01
- Roof Plan and Section BD.228.P30 B
- Block Plan BD.228.S10 C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the section of tiled roof of the proposed extension have been submitted to and approved by the Local Planning Authority and the material so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of character by endeavouring to achieve a building of visual quality in accordance with policy HER DM4 of the Arun Local Plan.

- 4 The materials and finishes of the external walls and thatch to the roof of the extension hereby permitted shall match in colour and texture those of the existing building.

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

- 5 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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

M/29/22/HH - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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