

PLANNING APPLICATION REPORT

REF NO: M/9/24/HH

LOCATION: 44 Southdean Drive
Middleton-On-Sea
PO22 7TB

PROPOSAL: First floor rear infill extension; Loft conversion and internal alterations; New roof windows to the front and rear elevations; New Juliet balcony to the rear elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The application seeks the construction of a first floor, rear, infill extension and a loft conversion which involves the installation of 4no. roof lights and internal alterations. Additionally, a Juliet balcony is to be installed to the rear elevation.</p> <p>The application is to be determined at Planning Committee as an application made by a Councillor.</p>
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RELEVANT SITE HISTORY

M/105/23/CLP	Lawful development certificate for the proposed first floor rear infill extension, loft conversion and internal alterations, new roof windows to the front and rear elevations and new Juliet balcony to the rear elevation.	PP Required 29-01-24
M/145/21/HH	Roof extension to facilitate conversion of loft to habitable use and alterations to fenestration.	ApproveConditionally 21-01-22

REPRESENTATIONS

Middleton Parish Council - no objection.

No representations received from members of the public.

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)
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

Key Development Plan policies relevant to this proposal are D DM1 and D DM4 of the Arun Local Plan (ALP). Additionally, guidance set out in Part M of the Arun Design guide is relevant.

Middleton does not benefit from a made Neighbourhood Development Plan but does have a Village Design Statement.

SITE HISTORY

The site benefits from an extant planning permission for a roof extension. The approved scheme consists of the construction of 3no. dormers in the rear (south) elevation, the insertion of 4no. roof lights in the side (east and west) roof planes and, additionally, a first floor rear infill extension and alterations to the fenestrations. The planning permission has not been implemented to-date. The previously approved scheme is a slightly larger version of what is now proposed under the application the subject of this report.

An application for a lawful development certificate in December 2023 determined that a loft conversion, first floor rear extension and alterations to fenestrations would not be permitted development, due to non compliance with the relevant criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Specifically, it was determined that the total enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse and the eaves height would exceed 3m. Hence, this planning application has been made.

DESIGN & VISUAL AMENITY

The host dwelling is a detached, two-storey property located at the western end of a no through road within a substantial plot. The property has neighbours to the west and east and its rear garden backs onto the seafront. The proposal seeks to convert the loft space of the host dwelling into habitable accommodation by way of inserting 4no. roof lights in the roof plane and additionally, completing a first-floor rear infill extension in place of what is currently a balcony. No additional ground floor area is sought through this application. Due to the setting of the host dwelling and the small-scale nature of the development, the proposal will have little to no impact on the visual amenities or character of the street scene.

The first-floor extension infills an area approximately 3.1m wide x 2.6m deep and will have a roof structure that integrates with the existing roof structure in terms of height and pitch. The external materials will match the host dwelling and the proposed new window responds well to the existing rear

elevation. The rear extension will be integrated with, and subservient to, the host dwelling.

The loft conversion involves the insertion of 4no. roof lights in total, 2no. in the front (north) roof plane and 2no. in the rear (south) roof plane. These roof lights are considered minor incidents in the roof plane and are positioned to be as least visually intrusive as possible. Design guidance states the creation of additional habitable space within loft spaces as an effective use of land.

In visual terms, the proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan, Part M of Arun Design Guide and the Middleton-on-Sea Village Design Statement.

RESIDENTIAL AMENITY

Part M of the Arun Design Guide states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and responding to existing elevations through the size and positioning of doors and windows.

This application does not propose to increase the ground floor footprint or ridge height of the existing property. The first floor addition is an infill extension located between two existing protrusions and will not be overbearing or overshadow of any neighbouring properties.

In terms of overlooking, the proposed Juliet balcony replaces an existing first floor bedroom window and will achieve similar views already available to the occupants of the property. The balcony will not increase overlooking into neighbouring properties. The 4no. roof lights would provide new viewpoints at second floor to the front (north) and rear (south) of the property. The views generated would be similar to what can already be achieved at first floor and largely provide views across the rear garden and front driveway. These views would not be materially harmful to residential amenity.

The development will not result in adverse harm on residential amenity and is therefore in accordance with Part M of Arun Design Guide and policy D DM4 of the Arun Local Plan.

OTHER ISSUES

Parking provision and private amenity space serving the dwelling remains unaltered by the proposed development.

SUMMARY

The proposed development accords with relevant development plan policies and, as such, is recommended for approval subject 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 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:
 - The Location Plan PL100
 - Block Plan PL101
 - Proposed Site Plan PL102
 - Proposed Plans and Elevations PL104
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.
- 3 The materials and finishes of the external walls and roof of the development 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.

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](#).

M/9/24/HH - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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