

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

REF NO: K/10/18/HH

LOCATION: La Casa
57 Coastal Road
Kingston
BN16 1SN

PROPOSAL: Two storey rear extension, recessed second floor extension, landscape works & retention of two storey containers & hoarding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The design proposes to retain the existing house structure extending 3m to the south, 2.5m to the east and 2m to the west. The proposed design also comprises a recessed second floor extension which increases the ridge height of the existing dwelling by 650mm.. The design incorporates white render that is used for the majority of the house and also stone cladding in line with the existing house external finishes and a new material - pre-patinated zinc for the roof .
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Walling and fencing to approx. 2m high to side boundaries and hoardings across front.
SITE CHARACTERISTICS	The application site comprises a detached 2 storey dwelling with a pitched roof and painted rendered elevations and gardens to the front, rear and sides .La Casa is on the south side of Coastal Road, an exclusively residential street within East Preston estate, running east west and parallel to the coast. The property is delineated by Coastal Road to the north, an adjacent property to the east, the greensward to the south and a public right of way to the west that links the Coastal Road to the beach. The property was constructed in the 1960's. The property has been derelict for some time and is currently in a poor condition.
CHARACTER OF LOCALITY	The area is part of a residential street comprising a mixed character with detached properties of 2 and 3 storeys set in large plots positioned a similar distance from the highway with gardens to front, side and rear (beach frontage) within a suburban environment

RELEVANT SITE HISTORY

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council

Objection -

- The proposed development by reason of its increase in scale, width, height, bulk and design will constitute overdevelopment of the site. This includes a rise in roof height and shape to create a 3-storey dwelling with a 2-storey extension to the rear.
- The proposed development will overly dominate the street scene of Coastal Road and this will adversely affect the character and visual amenity of the area.
- . The site backs onto the greensward running along the edge of the beach, which is a popular coastal footpath and leisure route for residents and visitors. This effectively means the property has a frontage to both north and south. The proposed 2-storey extension to the south of the property when viewed from the greensward is forward of the building line of neighbouring properties and so will also overly dominate views from the greensward.
- For the reasons given in point 1, the proposed development will be overbearing on neighbouring properties.
- There will be a loss of privacy for neighbours, all windows or glass to the east and west elevations above ground floor level should be opaque to prevent overlooking, and windows should be non-opening. Balconies should have privacy screens fitted to the east and west. There should be a condition that there is no access onto any of the flat roof spaces (except for maintenance).
- There will be a severe loss of light to the neighbouring property to the east.
- The property will now have 7 bedrooms and Council considers there is insufficient offstreet parking provided for the potential number of occupants (14 adults). There is no on-.street parking available nearby due to Coastal Road being a private road.
- Given the proximity of the proposed development to the roundabout at the junction of Golden Avenue/Coastal Road/Golden Acre (where four sections of road meet) it will be hazardous if vehicles are having to reverse on or off the driveway: both for those reversing and those using the roundabout or travelling along Coastal Road. Therefore, there should also be space allocated for vehicles to turn around on site.
- The two 2-storey containers in the front garden of the property are extremely damaging to the visual amenity of the street scene and should be removed. Any replacement containers should be single storey and only on site for a clearly restricted time period (e.g. 6 months).
- . Council understands that this is a proposal for a residential development and not a commercial development. However, Council has noted the concerns of residents that the proposed accommodation could be used for commercial purposes such as weekend/holiday lets. Is there a condition that can address this concern?

8 Objections --

- Size and scale is out of keeping and overpowering
- Over development
- increased rof height affects light to adjoining properties and appears over sized.
- Loss of privacy, windows on west side are full length and increased in number
- Increased activity from a 7 bedroom house would be in neighbourly detrimental to visual amenity
- out of keeping with scale of adjoining properties

- footprint will be doubled
- increased traffic during construction
- the proposed development is a complete and utter over development of the site, especially as it sits in a very prominent position on the private estate.
- the size, roof height and monolithic design is completely out of keeping with the street scene.
- the design is obviously focused at a holiday home development which is against the estate covenants and rules.
- It contravenes the neighbourhood plan and the building line has been disregarded completely.
- It is essential that the residential nature of this private estate be protected to ensure that the community is maintained. No one wants an Air B&B or holiday rental/commercial entity to evolve.
- the area is residential and a commercial property will upset the balance and possibly contravene West Kingston estate rules for occupation. It seems likely that it may become a party house with the potential to be noisy at weekends and holiday times.

COMMENTS ON REPRESENTATIONS RECEIVED:

Not Agreed. The proposal is considered to be in keeping with the area and the design would be similar to others in the locality. The character of the area is derived from the mix of dwelling type and appearance. The height of the proposed dwelling is no greater than those adjoining. The ridge height of the proposal is in-line with the minimum height across neighbouring properties. Obscure glazing is indicated to windows in the side elevation which aren't high level and the balcony ends on the side elevations are conditioned to be obscure glazed to prevent adverse overlooking and loss of privacy. The proposal is for an extension to a residential dwelling. There is no information within the application to suggest that it is to be used for holiday lets.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

- | | |
|-------|--|
| GEN7 | The Form of New Development |
| DEV19 | Extensions to existing residential buildings |

[Publication Version of the Local Plan \(October 2014\):](#)

- | | |
|--------|--|
| D SP1 | Design |
| SD SP2 | Built -Up Area Boundary |
| D DM1 | Aspects of Form and Quality |
| D DM4 | Extensions & Alterations to Existing Buildings |

ECC SP2 Energy & Climate Change Mitigation

[Kingston Neighbourhood Plan 2014 Policy KPNP1](#)

The Presumption in Favour of Sustainable Development

Kingston Neighbourhood Plan 2014 Policy KPNP2

BUILT-UP AREA BOUNDARY

Kingston Neighbourhood Plan 2014 Policy KPNP7

DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies KDNP 2 (Built Up Area Boundary) and KDNP 7 (Design) of Kingston Neighbourhood Plan are considered relevant

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it would not be subservient to the main dwellinghouse.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Even though the proposal is considered not to be subservient to the existing dwelling, it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties. Also the proposal would not have an adverse impact upon the established character of the surrounding area.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities. Policies D DM1, D DM4 and D SP1 in the Emerging Local Plan are also considerations, these also seek to ensure that development would not have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

The development will result in a change to the appearance of the dwelling. This proposal introduces an enlarged element to this dwelling at 2nd floor level and an increased footprint on the south elevation. There will be an impact on the visual appearance of the dwelling and on the street scene. The issue is not that there will be an impact, but whether that impact would result in harm to amenity in the context of the appearance of the dwelling and the street scene.

The proposal is considered to represent sustainable development in accordance with the National Planning Policy Framework. There is no dominant architectural form along Coastal Road. The building styles vary from 'Georgian' to 'Arts and Crafts' and 'Art Deco'. The proposed contemporary 1930's style dwelling would reflect other flat roofed properties in the locality and the dwelling would be no higher than its neighbours. The new build also incorporates design features which give the property a modern character through the use of white render, pre patinated zinc, timber cladding and stone cladding. The footprint and massing would be comparable with adjoining properties and an acceptable gap to side boundaries would be retained. The appearance of the dwelling would be in keeping and it would not sit at odds with the general pattern of development or detract from the appearance of the street scene.

The extensions will be readily visible, but would not be harmful to the appearance of the existing dwelling. The upper floor does not occupy the whole of the roof area but a part of it and will be a secondary feature, the overall mass of the dwelling will be two-storey. The extensions are considered to be designed to reflect the characteristics and design of other dwellings in the locality. There is therefore not considered to be harm to the appearance of the dwelling in the street scene. The proportions of the extension are such that the existing character of the dwelling is preserved and that in terms of massing it will have a predominantly two storey appearance.

The overall appearance of the dwelling will not be such that it appears as an overdevelopment. It will still have the appearance of a largely two-storey dwelling set within the plot, with a very much secondary roof element.

The application has been amended since originally submitted by reducing the height of the stone clad entrance wall from 6.7m to 5.3m. This feature spine wall is intended to lead visitors to the entrance and is similar to the architectural approach used on 69 Coastal Road.

The vertical cladding comprises pre-patinated zinc. This material is a high quality material and is suited to this coastal location due its longevity in harsh coastal environments. This material has been approved at Broadbeach, 39 Coastal Road , Counterpoint, 52 Coastal Road; Dolphins, Gorse Avenue, Kingston Gorse.

The second floor plan has been set back from the perimeter of the first floor roof to reduce the overall building mass. There are no windows located on either the east or west elevation to prevent overlooking. The building form is simply rectilinear, with elevations and fascia clad in pre-patinated zinc. Again this is very similar to the design approach of second floor area of Broadbeach, 39 Coastal Road and 71 Coastal Road and many other recent applications.

It is not therefore considered that the development proposed is harmful to the appearance of the existing dwelling or to the street scene and therefore the development proposed is in accord with policies GEN7 and DEV19 (with the exception of part (ii)) and also D DM1, D DM4.

RESIDENTIAL AMENITY

The proposed extension will extend the property to the rear and at second floor. The existing building footprint is retained along the side walls in order to preserve the distance to both side boundaries. Furthermore, the second floor extension is recessed 1200mm from the existing footprint with no side openings to avoid overlooking to neighbouring properties. The comparative plans and cross section details indicate that the increased bulk of the dwelling is not significant and will not give rise to a material light loss to adjoining dwellings

Any windows at first floor or above in the side elevation will either be high level or obscure glazed. The existing rear balcony ends are not obscure glazed, but the position of the balcony end and proximity of the balcony to the boundary has been reduced and it is and it is therefore controlled by condition to be obscure glazed to ensure that the amenity of the neighbouring property is protected. Windows marked with clear glass are situated at 1.5metres higher than the first floor level, above the typical eyeline, but not preventing overlooking so it is intended to condition these windows to be obscure glazed below 1.7m. The existing property has side facing clear glazed windows at first floor level in the east and west elevations and the proposal would not result in a material increase in the amount of potential overlooking. The side window serving bedroom 2 in the east elevation would overlook the side garden area and garage to the adjacent dwelling. A gap of 10m would be provided to the existing side facing windows in the neighbouring dwelling and the proposed windows would not be located slightly forward and not directly opposite these windows. It is not therefore considered that it would be reasonable to impose any further restrictions on obscure glazing.

The rear extension would be 8m from the dwelling to the west which is adjacent to the public footpath separating the properties and it would be 8m from the dwelling to the east. Given this separation it is not considered that the increased bulk of the dwelling would result in materially adverse overbearing impacts.

Consideration has been given to the neighbour's privacy as both the new south facing balcony and the

new second floor extension are shielded by a full height zinc clad wall on the east side

It is therefore considered that there is no significant amenity loss from the proposed development and it would accord with policies GEN7 and DEV19 and also DDM1 and DDM4 in this regard.

Arun District Local Plan Policy GEN7 places an emphasis on extensions being visually integrated with the existing dwelling in terms of siting, design, form, scale and materials, and being visually subservient to the main building. The proposed extension would be visually integrated in terms of the appearance of the resultant dwelling. In terms of adverse overshadowing/loss of light or overbearing impact, extensions should not normally project beyond a line taken at 45 degrees from the middle of habitable room floor windows. The 45 degree line is an important measure in gauging the impact of overshadowing/loss of light and overbearing impact. The proposal accords with the 45 degree rule. Indeed, the proposal marginally improves the existing overshadowing caused by the existing pitched roof on the adjacent eastern neighbour as when taking a 45 degree line from the recessed second floor roof extension, it will come further away from the neighbouring building.

KINGSTON NEIGHBOURHOOD PLAN

Kingston Neighbourhood Plan policies 1, 2 and 7, (i), (iii) & (iv) are considered relevant to the consideration of any subsequent application together with the additional guidance given in Kingston Parish Design Statement 2014.

Policy 7 states 1. "Planning Permission will normally be approved for development within the Built-up Area Boundary, subject to compliance with other policies of the plan, providing that development does not:

- erode the spatial character and pattern of the area

The development does not result in harm to the spatial character of the area or pattern of development for reasons set out above.

- alter frontages to the detriment of the street scene

The development does not alter the frontage of the site and the alteration to the appearance of the dwelling is not harmful to the appearance of the dwelling or to the street scene given the similar appearance of other dwellings in the locality.

- it enhances the building and its surroundings, maintaining form and style

The impact on the appearance of the dwelling is not harmful and the existing form and mass of the dwelling is preserved in an acceptable manner. Overall, the refurbishment and renovation of this dwelling and the addition of architectural interest in the form of a limited second floor element are considered to enhance the appearance of the existing dwelling

- Uses materials which reflect the current character of the building

It is proposed to utilise materials which reflect those of other dwellings in Coastal Road and to introduce newer yet contrasting elements which will enhance the appearance of the dwelling.

- Remains in-keeping with the original scale and proportion of the original building

The scale and proportion of the existing dwelling is increased but is not inappropriate in this location .

- Ensures that important features of the original building are not lost;

The character and appearance of the existing dwelling will be altered and enhanced.

The proposed development is therefore considered to be consistent with the Neighbourhood Plan and also since this policy reflects the Design Statement, with the Design Statement.

The overall design objective is to slightly extend the existing building into the south garden, and to create a recessed second floor extension that is aesthetically sympathetic to its beach location, taking advantage of the views to the sea and the micro-climate of the location. The simple modernist approach allows to minimise the massing of the extensions by replacing the existing pitched roof with a recessed second floor with flat roof. The design also divides the accommodation into three distinct sections linked by the pre-patinated zinc element that wraps around the ground and first floor and the spine wall to the north elevation. Although the design proposes to visually break the massing of the building, it is formed with a uniform and cohesive language so that it creates a sympathetic design.

The proposals are to create a well detailed and crafted contemporary house suitable for modern living which will improve and enhance the dwelling current condition on this plot without compromising the established spatial character and pattern. Whilst the extension is large in relation to the host dwelling and cannot be said to be subservient the design is appropriate and sympathetic to the Estate's character and appearance in terms of scale, massing, footprint, layout and materials. The proposal is in-scale with adjacent buildings, taking into account the ridgeline of existing properties

CONCLUSION

It is therefore recommended that the application is approved subject to the following conditions.

HUMAN RIGHTS ACT

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:
Proposed Location Plan SK 19,
Proposed Block Plan SK 32,
Site Plan as Proposed SK 30
Ground Floor SK 11G
First Floor Plan as Proposed SK 12G
Second Floor Plan as Proposed SK 13G
West and East Elevation as Proposed SK 28B
South and North Elevations as Proposed SK 26D
Roof Plan as Proposed SK 29

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No work for the implementation of the development hereby permitted shall be undertaken on the site on Public Holidays or at any other time except between the hours of 8am and 6pm on Mondays to Fridays and 8am and 1pm on Saturday .

Reason: To safeguard the amenities of nearby residents in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development above damp proof course (DPC) level shall take place unless and until precise details of the colour of the proposed cladding, render, fascia, doors and window frames to be used in the extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first or second floor in the side elevations of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 6 The glass balustrade to the balcony end on the west elevation of the extension shall at all times be glazed with obscured glass to a height of 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 7 The first floor roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local

Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 8 Within 1 month of completion of the development the storage containers located on the site shall be removed from the site and the land restored to its former condition.

Reason: To protect the amenities of adjoining residential properties in accordance with policy GEN7 of the Arun District Local Plan.

- 9 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.