

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

REF NO: K/10/21/HH

LOCATION: 2 Meadow View (Peak Lane)
Peak Lane
Kingston
BN16 1RN

PROPOSAL: Single storey front extension and addition of balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. The extension would convert and extend the porch area to create a ground floor boot room measuring 3m wide and extending 1m forward of the front elevation of the dwelling closest to Peak Lane. A balcony would be provided facing onto the site frontage and looking towards the fields opposite.

RELEVANT SITE HISTORY

K/9/09/	Single storey and first floor extensions to existing dwelling house	ApproveConditionally 11-09-09
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REPRESENTATIONS

Kingston Parish Council - No objection as long as case officer is satisfied there is no overlooking of neighbouring properties.

One Support.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Outside the 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

CSP1 C SP1 Countryside
SDSP2 SD SP2 Built-up Area Boundary

[Kingston Neighbourhood Plan 2014 Policy KPNP7](#) DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide
NPPG National Planning Practice Guidance
NPPF National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to a building with to an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031) and KPNP7 of the Kingston Parish Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4).

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.

Policy KPNP 7 of the Kingston Neighbourhood Development Plan relates to the design and development of proposals within the built up area boundary. The design and location of the development must be appropriate any sympathetic to the character and appearance of the Parish in terms of scale, massing, aspect, siting, layout, density, materials, landscaping and design features. It seeks to protect and enhance biodiversity, and have minimal impact on users and occupiers of nearby occupiers of land.

DESIGN AND VISUAL AMENITY

The dwelling is sited in a cluster of dwellings fronting Peak Lane. The buildings are reasonably similar with regard to their materials, however, they vary with regard to their individual character, design and scale. The wider locality is distinctly rural in its appearance, in that to the East of Peak Lane there is a large agricultural field.

The front extension is to the northern side of the existing front projection of the dwelling. This element of the application is considered to be subservient to, and well integrated with the host dwelling, this is

largely due to the design of the proposal and the use of matching materials. The provision of a flat roofed extension and balcony above would not be out of character with the host dwelling and would not dominate the appearance of the dwelling. The adjacent dwelling to the north has been extended to the front and is closer to the road frontage than the extension proposed in this application.

Whilst the extension would result in a reduction in distance between the host dwelling and the neighbouring dwelling, the locality is considered to have a varied spatial pattern, which the proposal therefore contributes towards.

It accords with Part M of the Design Guide in that the form does not overpower the existing or neighbouring properties, integrates with the existing dwelling, is constructed at the same angle of pitch, and uses materials which match the existing building, responds to existing elevations through the size and positioning of doors and windows and maintains established building lines. The application is considered to comply with D DM4 of the Arun Local Plan due to the limited scale of the front extension and no significant harm would result to the intrinsic rural character, or that of the host dwelling, the proposal is deemed in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to have any significantly harmful overshadowing or overbearing impact upon occupiers of neighbouring dwellings to its North or South. This is largely due to its limited scale and its separation distance from adjacent dwellings. Although it is only 5m from the side elevation of the adjacent dwelling the development is not deemed to result in a loss of privacy to occupiers of neighbouring dwellings, due to the balcony being located to the front where privacy is not expected. Furthermore, the front area is a shared access and adjoining parking area serving both properties at Meadow View and the ground floor is occupied by a double garage. However the sides of the balcony would allow direct view into the front elevations of the adjacent house and therefore the sides of the balcony are conditioned to be screened to a height of 1.7m.

The application 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

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:
Proposed Plans 221/612/3
Site and Roof Plan 221/612/1
Existing Plans 221/621/2.

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 sides of the balcony shall at all times be obscurely screened to a height of 1.7m in accordance with details to be submitted to and approved by the Local Planning Authority prior to installation.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DDM4 and D DM1 of the Arun Local Plan.
- 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.