

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

REF NO: K/17/15/HH

LOCATION: Russet House
Gorse Avenue
Kingston Gorse Kingston

PROPOSAL: 2 Storey side & rear extensions with balconies, conversion of roof void to create En-suite Bedrooms including the insertion of 3no. new dormers, roof alterations, new Garage outbuilding with ancillary accommodation & link to main house & swimming pool.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seek planning permission for substantial extensions to this dwelling. The development proposed is:

1. Demolition of the existing rear double garage and erection of a replacement linked double garage with workshop store and guest suite above. This would have 3 rear velux roof lights and be 2.5m at eaves and 5.45m at ridge and have a gabled roof. This replacement building would be 9m wide and 5.7m deep and would be located generally in the position of the garage to be demolished. This new building would be linked to the dwelling by means of a small glazed link to the proposed rear extension to the dwelling.

2. A two-storey rear extension to the dwelling to form serve rooms with a study above. This would have a rear balcony on the west elevation which would face towards a proposed swimming pool. Eaves would be 2.6m and ridge 5.85m, again with a gabled roof. The front roof slope would have a single roof light. This rear extension would be 6.5m deep and 6.0m wide.

3. A two-storey extension to the west elevation of the main dwelling. This would provide a sitting/drawing room with additional bedroom above. The extension would be 6.0m wide sand 7.45m deep and would include a first floor balcony across the front.

4. Demolition of a single storey front sun room

and alterations to fenestration in this area.

5. Formation of rooms in the roof area (second floor) of the existing dwelling which with the side extension would increase the number of bedrooms from 7 to 7.

6. The addition of small dormers to the south and north elevations and the addition of new skylight windows to the extensions.

7. Changes to the materials to include a new render finish, fibre cement weatherboarding and natural slate roofing. An increase to an 8.8m wide access and new pedestrian gate.

A swimming pool is indicated on the proposed site layout, however planning permission is not required for this element of the scheme.

SITE AREA

The site area is approximately 0.2 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET)

The area is a relatively low density one and has been developed with a mixture of mainly two storey house types of individual design, appearance and materials. There is a chalet element to the dwelling to the west of and adjoining the site.

TOPOGRAPHY

Predominantly flat.

TREES

There are significant trees at the site which are to be retained and are unaffected by the development proposed.

Trees within the south west corner of the site have been recently felled, although these were not particularly significant. These were located in the area where a patio is proposed.

There is no Tree Preservation Order affecting the site or any of the trees within it.

BOUNDARY TREATMENT

The boundary of the site is formed mainly by a mature hedgerow with fencing to the rear in places. The hedgerow is mainly evergreen, with a limited amount of deciduous and approximately 3m in height on average. This hedgerow provides significant screening to the site.

SITE CHARACTERISTICS

The site is occupied by a 4 bedroom two-storey dwelling which is set within a large plot which is 55m deep and 36m wide. The existing dwelling is constructed of red brick and small red plain tiles. There is also red tile hanging at first floor. There is a large centrally located front dormer with flat roof at first floor level and also 2 smaller rear dormers.

To the rear (north) of the dwelling is large detached double garage with flat roof and of more modern design and materials. This is served by an existing access from Downsview Road which is a narrow single lane access road serving dwellings in that road and the application site.

The site also has 2 pedestrian access points from Downsview Road.

CHARACTER OF LOCALITY

The character of the locality is mixed. It is characterised for the most part by substantial two-storey dwellings of mixed design and materials. East of the site there is a large two-storey dwelling on the east side of Downsview Road which is constructed of similar materials. To the west of the site and adjoining is a large chalet element of a dwelling and this is constructed of red brick with black profiled roof tiles. To the rear/east are chalet type dwellings of mixed materials including brick and shiplap.

RELEVANT SITE HISTORY

K/26/81	18 M3 extension to enclosing verandah facing Gorse Avenue (rear elevation of house)	ApproveConditionally 08-07-1981
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None.

REPRESENTATIONS

Representations received:

Kingston Parish Council

Kingston Parish Council submitted comments in the form of an objection. These were:

Kingston Parish Council would have no objection to this application if there are conditions that balconies should have privacy screens of 1.8m to prevent the overlooking of neighbouring properties to the west, and that existing boundary hedging should be retained (except where reasonable to accommodate changes to the driveway).

3 objections to the proposals have been received. 1 objection is from East Preston and Kingston Preservation Society and is as follows:

The Society does not object to the proposed extensions to Russet House. But it does consider that the proposed alterations to the cladding and roofing materials, and to the windows, are contrary to the policies of the Kingston Neighbourhood Plan. They would produce a house that was very different in character from the existing building and from the historic style of the Kingston Gorse Estate. Fibre cement weatherboard, proposed as facing material for the upper elevations, is a novel material for the area and would transform the appearance of the house. So would the replacement of clay tiles by slates on the roof, and the replacement of metal Crittall windows by aluminium faced timber windows

The Kingston Neighbourhood Plan states in Policy 7.1.i. that the design of new developments should be appropriate and sympathetic to the Parish's character and appearance in terms of materials (colour, texture) ... and in Policy 7.2.iii. it states that if alterations do not retain and enhance the condition and character of the existing building, the proposals must use materials which reflect the present character of the building.

To conform to these policies of the Neighbourhood Plan, the facing and roofing materials and windows of the altered house should resemble those of the existing house. The proposed materials do not reflect the current character of the building.

The Society therefore considers that this application should be refused.

2 letters raise objections on the grounds that:

1. Our only objection is a concern that the introduction of a 3 car garage will substantially increase the size of the driveway opening onto Downsview Road which is a narrow road and unsuitable for such a large driveway opening. We note that the Kingston Gorse Estate has impliedly accepted that the opening will be widened. The plans do not show whether that is intended. If it is not, we have no objection, but we join with other neighbours in asking for a traffic management plan - Downsview Road is too narrow for parking and parking of private vehicles in the road thus blocking access has already been an issue.

2. That the ground plan of an adjoining dwelling is not up to date and might give the wrong impression in terms of access point locations. Access should be considered as it is not and with the proposal.

3. The scale of the rear extension on the north side of the dwelling is very large, with large blank wall and high roof. This has an unsatisfactory visual appearance, especially if boundary screening is removed. It would be more appropriate if it was reduced in length and height.

4. provision for 3 garages means that there will be more traffic on the very narrow road and accidents will be more likely.

5. The proposed swimming pool when used will be likely to be a source of unacceptable noise impact.

6. That contractors should provide suitable equipment to use the narrow road during construction and parking should be in Gorse Avenue in order to avoid obstruction.

Comments on Representations received:

The agent has confirmed that privacy screening to the balconies is acceptable and will be

provided, details of this can be subject to a planning condition(s).

The agent has also confirmed that except where required in terms of access, screen hedging will be retained. Retention of hedging can also be the subject of a planning condition(s).

On this basis, it is concluded that Kingston Parish Council does not object to the proposal as its concerns have been met.

In response to the objections and concerns, the agent has responded as follows:

1) The information detailed on the site plan was derived from an ordnance survey extract and license from land registry information in the normal way. The proposed new entrance to Russet House is materially wider than the current entrance. This will greatly benefit Mr & Mrs Millet as vehicles accessing Russet House will have significantly more space to manoeuvre, thereby avoiding the current predicament where vehicles are forced to reverse in close proximity to Scesaplana.

2) The massing of the Garage building and corresponding roof shapes are to be subservient to the host dwelling, in an attempt to minimise the impact visually to the surrounding properties, whilst creating adequate habitable space internally. The proposed Garage is to provide 2 parking spaces only, and does not increase the parking provision from that of the existing dilapidated Garage. The proposed Garage seeks to provide an aesthetically enhanced building in shape and form, from that of the existing unsightly flat roofed building, by utilising a pitched roof with Sussex Barn Ends. Furthermore this is a family dwelling and is to be used as such, and therefore we feel there would be no exacerbation of accident risk in Downsview Road. There are also mature hedges of considerable height on Russet House's Eastern boundary, which means that much of the garage building will not be visible from Downsview Road.

3) The proposed swimming pool is well shielded from the objecting property by the proposed link extension and Garage building. In addition, fencing and hedging/tree foliage will provide additional shielding from any noise nuisance that may arise. Also, as Mr and Mrs Millet mention in their letter, many of the properties immediately surrounding Russet House have outdoor swimming pools - they are an established feature of the area.

4) We cannot comment with regards to the successful contractors signage, but I assume this will be a matter for the Kingston Gorse Estate to consider and perhaps advise on. We will be producing a site set up plan for the successful contractor to use, which will enable the majority of the builders to park on site at Russet House during the construction. We are also happy to stipulate in the contract that additional parking not at Russet House is to be on Gorse Avenue only.

5) The driveway is only slightly enlarged from that of the existing opening, however is recessed and is similar to what they have created at The Dutch House. The recessed driveway will be advantageous from a highways perspective as it will allow vehicular movements in and out of Russet House to be achieved without the creation of risk to those traversing along Downsview Road. Furthermore, the additional parking provision from the enlarged internal driveway, will eliminate any necessity for parking on Downsview Road, and will improve manoeuvrability.

4) East Preston and Kingston Preservation Society - The alterations to the external finishing materials is not unprecedented on The Estate, and will be similar to that of The Dutch House

immediately to the Northeast. This house is of no significant historic interest and in its dilapidated current state has detrimental visual impact to the surrounding properties. The scheme seeks to enhance the condition and character of this seaside residence through the introduction of the material change and updated aesthetics.

5) The second floor dormers would not overlook an adjoining dwelling as it is shielded from view by 3 mature trees to the Southern boundary of Russet House. Furthermore, the northern elevation of that dwelling is some 40 meters away from the South Elevation of Russet House and there will be no overlooking potential from the new top floor bedroom windows as a result of the distance.

It should be noted that the objections have been discussed at length with the agent and that it is not considered that the scheme is likely to give rise to the impacts feared in the objections. The agent's responses clearly demonstrate that there is unlikely to be detriment from the proposed development. In addition, the matters of the balconies and hedgerow retention can be dealt with satisfactorily by planning conditions.

In addition, whilst a swimming pool is indicated on the proposed site layout, planning permission is not required for this element of the scheme.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	The Form of New Development
	<u>DEV19</u>	Extensions to existing residential buildings
Publication Version of the Local Plan (October 2014):		SD SP2 Built-Up Area Boundary
		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		The Presumption in Favour of Sustainable Development
Kingston Neighbourhood Plan 2014 Policy KPNP1		BUILT-UP AREA BOUNDARY
Kingston Neighbourhood Plan 2014 Policy KPNP2		DESIGN & DEVELOPMENT
Kingston Neighbourhood Plan 2014 Policy KPNP7		

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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).

Kingston has a Made Neighbourhood Plan

This means that Kingston Neighbourhood Development Plan has been brought into legal force and forms part of the statutory plan for Kingston. Consequently, decisions on whether or not to grant planning permission in this area will also need to be made in accordance with the Kingston Neighbourhood Development Plan, unless material considerations indicate otherwise.

In respect of the development proposed the NP has the following policies which are relevant:

KPNP1: The Presumption in Favour of Sustainable Development

Planning applications which accord with the policies in this Neighbourhood Plan (and with policies elsewhere in the development plan), will be approved without delay, unless material considerations indicate otherwise. Planning permission will also be granted where relevant policies in the development plan are out of date or silent unless:

i. Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole;

or

ii. Specific policies in the National Planning Policy Framework indicate that development should be restricted.

KPNP 2 - BUILT-UP AREA BOUNDARY

Development will be permitted within the area defined in map 7(ii) of this plan, as the Built-Up Area Boundary, subject to all other policies in this Neighbourhood Plan.

Account should be taken of the intrinsic character and beauty of the countryside outside the Built-Up area and the need to support thriving rural communities within it, in the context of a presumption in favour of sustainable development.

KPNP 7 - DESIGN & DEVELOPMENT

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:

i. The design and location of the development is appropriate and sympathetic to the Parish's character and appearance in terms of scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, design features, and specifically does not encroach upon any roadway or tarmac so as to alter the outstanding landscape, coastline, historic build and archaeological environment;

ii. It seeks to protect and enhance onsite habitats and associated networks thus protecting biodiversity.

iii. It is in-scale with adjacent buildings, takes account of the ridgeline of existing structures and is of a size that does not dominate the surroundings, or the wider Parish;

iv. It has a minimal impact on users and occupiers of nearby property and land and does not cause loss of sunlight, over-shadowing, over-looking issues, loss of privacy, anti-social noise/disturbance or have an over-bearing presence;

v. It has been demonstrated how the development will incorporate green technology where possible and be energy efficient;

vi. It does not add to air, light or noise pollution and in any way increase the flood risk to the Parish;

vii. It provides sufficient off-road car parking for its intended use; and

viii. In the case of the installation of solar panels and/or wind turbines to residential properties that require planning permission, they sympathetically relate to and are visually integrated, and are compatible with the landscape in both scale and positioning to not intrude upon the skyline, or generate noise or vibration nuisance for neighbours.

2. Any new development proposals, including self-building, rebuilding or alterations, will be supported, unless:

i. Any change in nature of front gardens includes predominately impermeable surfaces;

ii. Where it includes tree felling, with or without Preservation Orders, an Arboricultural Assessment concludes that the tree(s) has no environmental or amenity value, or is diseased or requires felling for safety reasons;

iii. It involves alterations and extensions which do not retain and enhance the condition and character of the existing building, then the proposals must:

o Not erode the spatial character and pattern of the area

o Not alter frontages to the detriment of the street scene

- o Enhance the building and its surroundings, maintaining form and style
 - o Use materials which reflect the current character of the building
 - o Remain in-keeping with the original scale and proportion of the original building
 - o Ensure that important features of the original building are not lost;
- iv. It proposes to increase the number of beach huts situated along the coastline of Kingston Parish; and
- v. It proposes development of any commercial solar array or wind turbine farms for the purpose of electricity generation that will have adverse impacts to landscape, habitats, the historic environment and residential amenity including visual, noise and odour impacts.

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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

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.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in a significant change to the appearance of this dwelling. However, this is an area of very mixed house types and designs and the more modern appearance would not be out of keeping with the appearance of the locality. There are instances of modern design in close proximity to the site. The proposals upgrade the appearance of the existing dwelling, which is presently rather 'tired'. Generally the design is consistent and results in a consistent appearance for the dwellings as extended/altered.

The development, whilst significant in amount, can be readily accommodated within the plot without the appearance of overdevelopment.

It should also be noted that KNDP Policy 7 does not seek to prevent the upgrading of the

appearance of the housing stock, rather it seeks to ensure that development is appropriate and sympathetic. This is the case with this proposal. In addition, this proposal does not erode spatial character, is not detrimental to the street scene and is considered to enhance the appearance of the dwelling/site. It is also not considered that the change of materials is detrimental. The proposal is not therefore considered to be contrary to KNDP Policy 7.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposals can be more than satisfactorily accommodated within the site and separation between dwellings remains more than adequate. In addition, there is considerable mature boundary screening which will remain. There is no appreciable impact on outlook or light and none on privacy, given this situation.

OTHER

Car parking at the site will be in excess of Council requirements and on-street parking is unlikely to result. Boundary screening is to be retained and privacy screening to the balconies can be controlled by condition.

The proposals are not considered not to result in any significant harm such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be approved, 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 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 (negative, Neutral or positive) 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).

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 drawings:

Drawing Number 15753/06 - Location & Block Plans - Dated May 2015
Drawing Number 15753/02 - Proposed Ground Floor Plan - Dated May 2015
Drawing Number 15753/03 - Proposed First Floor Plan - Dated May 2015
Drawing Number 15753/04 - Proposed Second Floor Plan - Dated May 2015
Drawing Number 15753/05 - Proposed Elevations - Dated May 2015

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

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed building and 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 buildings and 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.

- 4 No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and the development hereby permitted shall not be occupied until such screen walls and/or fences associated so approved have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall take place until there has been submitted to and approved by the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the extensions or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in

accordance with policy GEN7 of the Arun District Local Plan.

- 6 No development shall take place until there has been submitted to and approved by the Local Planning Authority details of the design, materials and treatment of the 2 balconies included in the development hereby permitted in order to prevent overlooking and to provide screening to users of the balconies. The balconies shall only be developed and completed in accordance with the details of the design, materials and treatment so approved and the design, materials and treatment shall thereafter be maintained.

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

- 7 The existing trees/bushes/hedges shall be/retained/protected, unless shown on the approved drawings as being removed, in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period. Any trees removed or dying or being seriously damaged or becoming seriously diseased following completion of the approved development shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority and the existing screening shall be retained in perpetuity.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 8 Before the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of parking, materials storage, machinery storage, noise, dust and waste resulting from the site preparation, groundwork and construction phases of the development and shall manage delivery vehicles visiting the site (including heavy goods vehicles). once approved, the CEMP shall be adhered to at all times unless otherwise first agreed in writing with the Local planning Authority.

Reason: In the interests of amenity, the environment and highway and pedestrian safety 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 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.