

Recommendation Report for Planning Permission

REF NO: K/17/22/PL

LOCATION: Panorama
Golden Acre
Kingston
BN16 1QP

PROPOSAL: Conversion of existing 2 No flats into 1 No dwelling, single-storey extension with a sloping roof, new porch on ground floor, conservatory at first floor and roof extension, replacement of existing windows, doors and roof tiles. This site is in CIL Zone 4 and is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the conversion of existing 2 No flats into 1 No dwelling (already approved under previous consents including K/39/20/PL). Single-storey extension with a sloping roof, new porch on ground floor, conservatory at first floor (already approved under K/40/20/HH). Roof extension involving raising the eaves height by 0.4m, replacing the ridged roof (25-degree pitch) running east west with a crown roof (45-degree pitch), the ridge line will be raised by 1.5m. Dormer style roof windows are introduced as part of the new roof on the east, south and west elevations and a stairwell feature window on the north elevation. The southern roof dormer will have a covered balcony section. Replacement of existing windows, doors and roof tiles.
SITE CHARACTERISTICS	Panorama is a large, two storey detached house (2 flats) on a substantial plot, the house is orientated on the plot to afford a sea view, the current house and previously approved schemes have all been located on the eastern side of the plot. The plot is understood to have previously been two plots. Lying forward of neighbouring properties to the east, Panorama is prominent from the south, the most significant views of the house from the public realm are of the south and east facades, whilst the house can still be seen from the north and west, plots are spacious. The Greensward and the foreshore lie to the south and east of the site. Mature trees lie to the west of the site. There is a small copse beyond the southwest boundary of the site as well as the beach huts. There are mature shrubs along the northern section of the

eastern boundary some on the area where the extensions previous permitted under K/40/20/HH are to be built.

The position forward of houses to the east and the eastern elevation sitting on the eastern boundary, with no enclosure, results in a prominent site that marks a visual stop when walking west along the shore.

CHARACTER OF LOCALITY

The character of the area along the shore roads in Kingston to the east and East Preston to the west is typified by predominantly two and three storey substantial detached houses on large plots, there is a variety of dwelling sizes, design and materials found in the area which gives a varied character.

RELEVANT SITE HISTORY		
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K/40/20/HH	Single-storey extension with a sloping roof, new porch on ground floor and conservatory at first floor. Replacement of existing windows, doors and roof tiles.	ApproveConditionally 27-11-20
K/39/20/PL	Conversion of two flats into a single dwelling.	ApproveConditionally 09-11-20
K/27/17/HH	Single storey side extension.	ApproveConditionally 18-10-17
K/28/14/PL	Demolition of existing building and erection of dwelling	ApproveConditionally 19-11-14
K/11/12/	Conversion of 2 no. flats to 1 no. dwelling to include extensions & a detached garage	Refused 28-09-12 Appeal: Allowed+Conditions 11-07-13

Historic consents relating to the current proposals are detailed above, the consents detailed below are material considerations in determining the current proposals.

K/11/12/PL was allowed at appeal and K/28/14/PL is the same scheme but as a new dwelling rather than extensions and alterations.

This scheme included the addition of a second floor with dormer windows and a Juliette balcony and a two-storey extension extending north along the eastern boundary of the site. The overall height of the dwelling approved under these consents exceeds that currently proposed.

K/39/20/PL approved the conversion from flats to a single dwelling, the current application also includes this conversion.

K/40/20/HH allowed alternative extensions. These form part of the current proposals as indicated in the Design and Access Statement.

CONVERSION FROM TWO FLATS TO ONE DWELLING

The appeal decision relating to K/11/12 is a material consideration and more recently K/39/20/PL approved the conversion for flats to a single dwelling.

Local planning policies do not specifically relate to the conversion of 2 residential units into 1 unit. The principle has already been established and remains acceptable.

REPRESENTATIONS

Kingston Parish Council - No objection.

Council has no objection subject to the condition relating to previous application K/40/20/HH I being repeated "Screening shall be constructed at a height of 1.7m from the roof terrace floor level, and extend along the entirety of the Eastern, and 1.5m of the Northern sides of the terrace." and that the case officer is satisfied that any new windows included in this application do not affect the privacy of neighbouring properties.

Objection from East Preston and Kingston Preservation Society:

- This property is sited in a prominent position, close to the sea, with its east elevation in full view of those walking westwards along the greensward. It is to be hoped that the increased height and mass of the building, the bold 2nd floor window design and extensive slate roof do not appear too overbearing and thus contravene Kingston Neighbourhood Plan (KNP) Policy 7i.
- Screening on the northern terrace essential for amenity and privacy, might also be appropriate to condition obscured glass for the large second floor windows if they overlook neighbouring properties.

3 objections (2 from the same party):

- Proximity.
- Use of the northern terrace will raise concern about noise, disturbance, privacy.
- Previous screening conditions inadequate.
- Loss of privacy from windows in roof on north and east.
- Increased capacity and increase in noise and disturbance from the property.
- Loss of privacy to nearby occupiers.
- Out of keeping with residential neighbourhood.
- Change in the area since the previous appeal decision.

OFFICERS COMMENTS:

Comments noted.

Potential for noise and disturbance from occupiers of the dwelling is not a matter which is subject to planning control.

Parts of the proposals already have planning permission.

Height, mass and design detail will be covered in the conclusions of the report.

Screening to be conditioned, obscure glazing to be conditioned.

Parish Council: It is proposed that the same conditions as those imposed under K/40/20/HH are applied in this case, additional conditions requiring obscure glazing also proposed.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Within 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

[Kingston Neighbourhood Plan 2014 Policy KPNP7](#) DESIGN & DEVELOPMENT**PLANNING POLICY GUIDANCE:**

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan, the Arun Design Guide and KPNP7 of the Kingston Neighbourhood Development Plan.

Policy D DM1 sets out the design aspects which applications should be assessed against, including character, appearance, impact, layout and scale.

Policy D DM4 sets out criteria for extensions and alterations to existing building, seeking to minimise the impact of the proposals on the character of the host dwelling, its neighbours and the locality.

The Arun Design Guide (ADG) provides guidance that will help raise design standards across the District. It is a material consideration when determining applications. The ADG seeks to ensure that developments 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. the guidance of note with respect to this

application is found in section M.01 Household Extensions.

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 and sympathetic to the character and appearance of the Parish in terms of scale, massing, aspect, siting, layout, density, materials, landscaping and design features. The proposals meet the aims of this policy as expanded in greater detail below.

DESIGN AND VISUAL AMENITY

This part of Kingston to the east and East Preston to the west is typified by predominantly two and three storey detached houses on large plots, there is a variety of dwelling sizes and designs in the area giving a varied character.

Older properties in Kingston are mostly tile roofs, however there are many examples of slate roofs as well as flat roof Modernist and Modernist /Art-Deco inspired designs. Predominantly walls are white render. There are large, glazed sections on many of the houses and an example of a similar recessed balcony area as proposed at second floor on the southern elevation can be found further to the west along Coastal Road.

Horizon, the house immediately to the west of the application site is a modern, modernist inspired design with large expanses of glazing, balconies on the southern elevation at second and third storey with screening walls on western sections. This house lies further back behind the Greensward, its back garden wall running adjacent to the front elevation of Panorama.

The proposed scheme incorporates extensions already approved under previous consents, the significant change from K/40/20/HH being the addition of a crown pitched roof with windows and stairwell enabling second storey living accommodation.

Whilst the proposals will represent a substantial change in the appearance of the house as it stands, they are not considered inappropriate in this setting, particularly when compared to the scheme approved under K/11/12 and K/28/14/PL and in the wider context of the varied architectural styles found on neighbouring properties.

The schemes approved under these planning permissions confirmed the principle of a second floor was acceptable. The extensions/house previously approved were more substantial in scale than the works currently under consideration.

The replacement house previously approved under K/28/14/PL exceeded 10.3m in height and included a substantial two-story section extending north along the eastern boundary. The height of the house with the proposed new roof would be around 0.5m lower.

Whilst the crown roof will differ in appearance to the east-west ridged roof previously approved, the alternative appearance is not considered unacceptable. The principle of roof windows at this level and balconies has also been established. The proposed covered balcony at second floor on the southern elevation is not unacceptable.

The ADG Section M provides guidance for extensions, whilst it does not specifically deal with raising a roof vertically, it provides some guidance that can be applied to these proposals. In accordance with Part M.01 the proposed alterations to the roof profile will not detract from the character and appearance of the dwelling or wider area.

With respect to the proposed dormer style windows in the roof, in this instance they form part of the new proposed crown roof shape and meet some of the aims the ADG expresses with respect to dormer windows i.e., the ADG favours small scale dormer windows with pitched roofs over large, flat box-shaped designs.

Whilst the addition of a new roof cannot be visually subservient to the existing property the three dormers on the east north and west elevations of the new roof are small in scale, two are pitched and all sit below the ridge according with figures 288 and 289 of the ADG.

The covered balcony roof section proposed on the southern elevation is larger in scale, its ridge will sit slightly below the ridge of the main roof structure, it is located symmetrically and centrally on the roof, without being overly dominant or out of proportion or style with the rest of the roof structure.

The crown roof design offers an efficient way to achieve the second-floor space whilst keeping the ridge height lower than previous schemes.

The proposals accord with advice given in Part M.01 the Arun Design Guide, the composition is not over dominant, uses sympathetic building materials and will not damage the original character and appearance of the building and its surrounding area.

Notwithstanding, and despite the prominence of Panorama and the visual impact which the development will present, the extensions would not be so obtrusive or dominant in this location that the proposals should be resisted.

The proposed development is acceptable on grounds of design and accords with D DM1, D DM4 and the Arun Local Plan and the Arun Design Guide.

RESIDENTIAL AMENITY

The proposed development will not result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings.

Horizon, the neighbouring house to the east of the application site is a mix of two and three storey development its garden to the south is bounded by solid rendered walls with a gate accessing the Greensward.

Whilst the scheme does involve the introduction of additional windows on all elevations these compare favourably with the window arrangements approved under previous consents, particularly K/11/12 and K/28/14/PL.

On the north elevation a large window serving a stairwell is proposed at second floor, this is a departure from the symmetrical design previously approved. It will not serve a habitable room and is not considered inappropriate in appearance.

The proposed balcony at second floor to the south will not result in any loss of privacy being enclosed at the sides. As with previous consents, a condition will be recommended to ensure that 1.7m high obscure glazing panels are installed along the Eastern, and the Easternmost 1.5m of the Northern sides of the proposed roof terrace to prevent this harm.

The proposals will introduce additional windows on the east and north elevations when compared to the existing property.

Under K/40/20/HH a small window was permitted at second storey in the East elevation and under K/28/14/PL a Juliette balcony was approved.

Comments made regarding obscure glazing are noted. Whilst obscure glazing conditions were imposed on the decision notice for K/28/14/PL this applied to windows sited further north along the eastern boundary in a two-storey section not proposed as part of this application.

The introduction of obscure glazing to eastern dormer window serving a habitable room at second floor would ensure that there would be no overlooking into the back garden of the house to the west.

Whilst the feature staircase window on the north elevation is not serving a habitable room, descending from the stairs at second floor would place users in a position where further views to the north would be possible, and for this reason to ensure privacy for occupants of the neighbouring dwelling to the north, a condition requiring obscure glazing is proposed.

In section M.01 the ADG advises that privacy can be maintained by locating and designing windows to prevent overlooking, the inclusion of materials or objects to obscure direct overlooking must be carefully balanced with ensuring adequate access to daylight, sunlight and maintaining passive surveillance of the street.

Considering the possible overlooking and loss of privacy it is appropriate to impose conditions regarding screening from the balconies on the east and north and obscure glazing in the stair well to the north and dormer window at second floor on the eastern elevation.

The proposal would not result in significant harm upon neighbouring amenity by way of overbearing, overshadowing, or overlooking, in accordance with D DM1 and D DM4 of the Arun Local Plan.

The proposed development accords with D DM1 and D DM4 of the Arun Local Plan and to relevant parts of the Arun Design Guide.

SUMMARY

The proposed development accords 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

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:

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls, roof, windows and doors of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

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 D DM1 of the Arun Local Plan.
- 4 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 obscure screening, of the proposed roof terrace 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 extension, and remain in perpetuity thereafter. The screening shall be constructed at a height of 1.7m from the roof terrace floor level, and extend along the entirety of the Eastern, and 1.5m of the Northern sides of the terrace.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy D DM1 and D DM4 of the Arun Local Plan.
- 5 The window at second floor on the East elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to a height of 1.7m from finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 6 The window serving the stairwell at first and second floor on the North elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to a height of 1.7m from finished floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 7 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 in any wall of the extension/building 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 D DM1 and D DM4 of the Arun Local Plan.

- 8 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.