

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

REF NO: K/19/20/HH

LOCATION: 99 Golden Avenue
East Preston
BN16 1QT

PROPOSAL: First floor walls of existing dwelling to be finished with Hardie cladding in lieu of existing tile hanging.
First floor and pitched roof added to garage with external staircase to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to replace the existing tile hanging with Cedral cladding. Additionally, it seeks to construct a first floor atop of the existing garage, and add an external staircase by which to access this.

REPRESENTATIONS

Parish Council - No objection.

- No objection provided that the staircase does not result in any harmful overlooking.
- Furthermore, the increase in size of the garage should not appear out of scale to the host dwelling, or affect the street scene.

No representations received from occupiers of nearby dwellings.

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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, KPNP7 of the Kingston Neighbourhood Development Plan.

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 proposed change of materials affects all first floor elevations of the host dwelling, and as such, this will be visible from the street scene of Golden Avenue. Whilst it is noted that this will result in a change in appearance to the host dwelling, it is not considered to be a harmful change. There is not considered to be a uniform character along Golden Avenue, as the road plays host to a wide variety of dwelling styles, designs and materials.

The proposed addition of a first floor to the existing garage is also considered to represent a significant change to the application site when viewed from the public realm. Furthermore, the addition of this storey brings the total height of the garage to 6m from ground level. As such, this will introduce a change to the spatial pattern of the application site, however, it is not considered that there is a uniform spatial pattern within the locality, due to the wide variety of dwelling scales and designs along the Golden Avenue. Whilst the proposed extension will not be subservient to the existing garage, it is considered to appear subservient when viewed in the context of the application site on the whole. The use of matching materials to the host dwelling is considered to allow the garage to appear well integrated with the character of the application site, and the varied character of the area.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overshadowing or overbearing impact upon the occupiers of neighbouring dwellings. This is due to the aspect of the application site, and the siting of the proposed development, causing any potential for overshadowing to fall within the application site itself. It is noted the proposal represents a large height increase only 1.1m from the boundary with the neighbouring dwelling, and therefore, there is potential for unneighbourly impact. However, the area of which is adjacent to the boundary is populated primarily by built form, and as such, there is unlikely to be any significant harm as a result of this.

The proposed garage introduces new openings at first floor level to the application site. The proposed

Velux windows (on the North-Western roof slope) provide views towards the host dwelling only, and therefore have no harmful impact upon local occupiers. There is a new window on the South-Western gable end of the proposal of which provides views towards the street scene only. The access to the first floor of the proposal is by way of an external staircase. This staircase has potential to provide harmful views towards the neighbouring dwelling, and as such a condition will be proposed to ensure that obscure screening be installed at first floor level to prevent these views. With regard to the stairs themselves, it is not considered that the staircase would be an area used for extended periods of time, as it acts as a means of access between the ground and first floor only.

The proposed development 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

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:

- Location and Site Plan - 19/4673/2
- Proposed - House - 19/4673/4 - May 2020
- Existing & Proposed - Garage - 19/4673/5 - May 2020

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 Prior to use of the first floor of the building, 1.8m high permanently fixed, obscure glazed panels shall be installed at first floor level on the landing area of the stairs serving the building and shall be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy 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.