

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

REF NO: K/1/26/HH

LOCATION: Panorama
Golden Acre
Kingston
BN16 1QP

PROPOSAL: Proposed roof extension and reorientation of roof position on single storey extension and alterations to fenestration (retrospective).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

K/21/25/HH	Construction of a detached outbuilding	ApproveConditionally 06-01-26
K/29/23/PL	Proposed roof extension and reorientation of roof position on single storey extension and alterations to fenestration.	ApproveConditionally 15-08-23
K/17/22/PL	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.	ApproveConditionally 03-08-22
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/28/14/PL	Demolition of existing building and erection of dwelling	ApproveConditionally REPORT_1011(ODB)

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**REPRESENTATIONS**

Kingston Parish Council- No objection.

1 letter of no objection was received from a nearby occupier.

1 letter of objection was received from a nearby occupier. Summary of objection:

- The retrospective application (K/1/26/HH) still fails to address concerns previously raised in objections to applications K/17/22/PL and K/29/23/PL.
- Privacy concerns remain unresolved and have been worsened by the applicant's deviations from previously approved plans.
- The distance between the properties is less than 25 metres, contrary to the claim made in Statement 6.8.
- The windows on the southern elevation are large, not as described in Statement 6.9.
- The planning officer's considerations in Statement 6.12 should still stand, despite the applicant's assertions in Statements 6.14-6.16.
- From certain angles, the objectors can see directly into the dormer window, leading to concerns about loss of privacy for both parties.
- The application is incomplete because it fails to address the required obscure-glass screening on the rear balustrade/balcony, an issue previously raised under K/29/23/PL.
- A permanent and secure privacy screen is still required to prevent overlooking and noise impact from the first floor terrace, which is also less than 25 metres from the main bedroom balcony.
- Previously submitted photographs (DNG1-DNG8) remain relevant and should be reviewed as part of the assessment.

Comments are noted and will be addressed in the conclusion section of the report.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Engineers (Coastal Protection) - No response received.

POLICY CONTEXT

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) |

[Kingston Neighbourhood Plan 2014 Policy KPNP7](#)

DESIGN & DEVELOPMENT

REPORT_1011(ODB)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS**BACKGROUND**

It is noted that a number of applications have previously been submitted for this site, with various alterations proposed during the construction phase. The most recent permission relating to the main dwelling is planning reference K/29/23/PL, which has been implemented. The current application seeks amendments to the approved scheme.

DESIGN AND VISUAL AMENITY

The application site comprises a detached two-storey dwelling located at Panorama, Golden Acre, within the Angmering-on-Sea private estate.

The proposal seeks retrospective planning permission for a number of minor changes, including alterations to the colour and positioning/size of fenestration. Additional internal changes are also shown on the plans.

Three rooflights have been installed within the rear (north) roof slope, accompanied by a pitched roof dormer in a similar position to the previously approved dormer. First floor fenestration in this elevation has been altered, with one window removed. The first floor level now comprises two windows serving a bedroom and bathroom. The proposed alterations to fenestration within the northern elevation are minor in scale and do not result in harm to visual amenity.

Alterations to the front (south) elevation include changes to the top floor balcony, where the balustrade now matches those used elsewhere on the dwelling. Bifolding doors have been installed at first floor level, replacing the previously approved glazed conservatory. Ground floor fenestration has been amended to provide a large bi-folding door and a substantial patio door, with the two full height panels either side of the bifolding doors. The proposed alterations to this elevation are small in scale, and have not result in harm to visual amenity.

The side (west) elevation now contains reduced glazing overall. The ground floor level incorporates extensive glazing with a range of opening windows. Additional openings include a large five-pane window and a glazed patio door flanked by two windows. At first floor level, two three-pane windows are present, and a pitched roof dormer is also included within the roof slope.

The side (east) elevation remains broadly consistent with the previously approved scheme, with the only changes relating to the style of windows to ensure consistency across the proposal and a reduction in fenestration at ground floor level. The fenestration within the pitched roof dormer of the eastern roof slope was previously conditioned to be obscurely glazed and fixed shut below 1.7m above the internal floor level, however the window installed comprises clear glazing and is openable.

The fenestration installed throughout the property are black, metal-framed Crittall style openings. The surrounding street scene contains a mix of dwelling styles and material finishes. As such, the proposed amendments represent minor design changes to the approved scheme and are acceptable. The

alterations to fenestration are comparable in scale and siting to the approved arrangement and would not result in harm to the visual amenity of the dwelling or the wider area.

The proposal does not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4.

RESIDENTIAL AMENITY

The proposal does not involve any increase in the overall massing or scale of the dwelling. As such, it would not give rise to any adverse impacts upon neighbouring properties in terms of overshadowing, loss of light, or overbearing impacts.

The fenestration changes relate primarily to alterations in design and are positioned in broadly comparable locations to those previously approved. Consequently, the revised openings at ground and first floor levels would not introduce any additional residential amenity impacts in terms of overlooking or loss of privacy.

A key aspect of the current proposal is the installation of clear glazing within the dormer positioned within the eastern roof slope. The outlook from the dormer is predominantly towards the greensward open space and the sea, with only oblique views towards the private amenity area of Horizons. The arrangement does not afford direct overlooking. In addition, there is a sufficient separation distance of approximately 26.5 m, measured in a straight line from the centre of the window to the neighbouring dwelling to the east. This exceeds the minimum distance recommended within the Arun Design Guide (ADG), which advises a separation of at least 14m between front-to-side habitable room windows and a separation of 21m between the rear elevations of properties. As such, given that any views of neighbouring gardens would be oblique and that the amount of glazing within the eastern dormer has been reduced from the previously approved application, the dormer, as constructed with clear glazing and openable below 1.7m above internal floor level has not resulted in unacceptable overlooking to neighbouring properties. The proposal therefore accords with the guidance, and the window is acceptable as an opening, clear-glazed feature.

The rear dormer is positioned in the same location as previously approved, with the only alteration relating to its design. Although the glazing to the dormer is not proposed to be obscure, this does not result in any harmful impact on neighbouring residential amenity. The ADG recommends a minimum back-to-back separation distance of 21m between habitable room windows. The distance between the rear facing windows of the application site and the neighbouring dwelling to the rear, Genesis, is approximately 27m. This exceeds the ADG requirement and is sufficient to prevent harmful overlooking or loss of privacy.

Furthermore, the dormer would share the same outlook as the existing first floor rear windows and therefore would not introduce any additional or unacceptable overlooking impacts on either neighbouring property, Genesis or Horizons. For the reasons set out above, it is not necessary or reasonable to impose a condition requiring this hallway window within the dormer to be obscure glazed.

One objection has been received raising concerns regarding potential overlooking and loss of privacy. These concerns have been carefully considered, however, as the proposal complies with relevant Local Plan policies and the ADG, the Council cannot reasonably insist on further screening to a dormer in an approved position, nor would it be justified to require obscure glazing by condition. Notwithstanding this, a condition is recommended to secure the installation of the proposed screening along the eastern and adjoining northern edges of the first floor terrace, as described below.

Screening is proposed along the eastern side elevation of the first floor terrace, with a section extending

along the rear (north) elevation, to mitigate any potential overlooking or loss of privacy towards the neighbouring properties to the side and rear. The screening is shown on the submitted plans, and further details have already been approved under application K/14/23/DOC. For the avoidance of doubt, it is reasonable to impose a condition requiring the installation of this screening as part of the development and ensuring it is retained in situ and maintained so that it remains effective for privacy screening purposes, to prevent unacceptable overlooking to neighbouring properties.

The development does not result in harm to neighbouring amenity, in accordance with policies D DM1 and D DM4 of the Arun Local Plan and the ADG.

SUMMARY

The proposal is in accordance with the relevant development plan policies. As such, it is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be maintained in accordance with the following approved plans:
 - Existing Site Location Plan and Block Plan 050
 - Existing Floor Plans and Sections 121c
 - Existing Second Floor, Roof Plan and Elevations 121b Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 2 Prior to the first use of the first-floor roof terrace on the north elevation, the privacy screening to the eastern side and the adjoining section on the northern side shall be installed in full accordance with the details approved under application reference K/14/23/DOC. The screening shall be securely fixed to remain immobile, shall be retained in situ thereafter, and shall be maintained in a condition that ensures it remains fully effective for privacy screening purposes in perpetuity.

Reason: For the avoidance of doubt and to protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policy D DM1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 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.