

**Roof extension and reorientation of roof position on single storey
extension and alterations to fenestration (retrospective) at**

Panorama, Golden Acre, Kingston, West Sussex, BN16 1QP

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Appendices

Appendix A	K/29/23/PL	Decision Notice and Approved Scheme Drawing Set
Appendix B	K/28/14/PL	Decision Notice and Approved Scheme Drawing Set

1 Introduction

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- 1.1 This Planning Statement is submitted in support of an application which seeks retrospective householder planning permission for an existing scheme of development at Panorama, Golden Acre, Kingston, West Sussex, BN16 1QP. The existing scheme of works are described as:

*‘Roof extension and reorientation of roof position on single storey
extension and alterations to fenestration’*

- 1.2 The statement is split as follows: Section 2 describes the site; Section 3 summarises planning history; Section 4 describes the existing development; Section 5 cites relevant planning guidance and policies; Section 6 provides a planning assessment; and finally, Section 7 draws the conclusion.
- 1.3 This statement should be read alongside the Application Form, CIL Form, and Scheme Drawing Set.

2 **Site Description**

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- 2.1 The site comprises a large two and a half storey detached house which occupies an exceptionally generous-sized plot located on the east side and at the southern end of Golden Acre. The site lies within the Built-Up Area Boundary, west of designated open space and north of Kingston's beach.
- 2.2 The surrounding area to the north, east and west is wholly residential in land use terms and comprises detached dwellings of varying scales and styles - all typically occupying generous plots.

3 Planning History

3.1 According to the District Council's online planning register, the application site has an extensive planning history which dates back to 1987. The following represents a summary of those historical applications which are considered pertinent to the assessment of this retrospective application.

K/28/14/PL - Demolition of existing building and erection of dwelling. Approved in November 2014.

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. Approved in August 2022.

K/29/23/PL - Proposed roof extension and reorientation of roof position on single storey extension and alterations to fenestration. Approved in August 2023. For ease of reference, the decision notice and approved scheme drawing set are included at Appendix A.

4 Existing Development

4.1 The existing scheme of development essentially constitutes minor amendments to the scheme that was approved in August 2023 under Application Reference K/29/23/PL. Notwithstanding this opinion, the fundamental differences between the previously approved scheme and the scheme for which retrospective planning permission is now being sought are as follows:

- (i) The style of fenestration that has been installed throughout the property differs;
- (ii) The material and colour of the fenestration that has been installed throughout the property differs;
- (iii) The fenestration arrangements at ground floor level in both the east and west elevations differ;
- (iv) One window has been removed at first floor level on the north elevation;
- (v) The first floor south-facing conservatory has not been erected;
- (vi) 3no. rooflights have been installed within the north-facing roof slope;
- (vii) The amount of glazing that has been installed within the second floor east and west-facing dormer windows is considerably less;
- (viii) Unobscured glazing panes have been installed within the frames of the second floor west- and east-facing dormer windows; and
- (ix) The top-hung, centrally positioned opening section of window within the second floor east-facing dormer has been installed at a height of 960mm from finished floor level.

4.2 It is acknowledged that items (i), (ii), (iii), (iv), (v), (vi), (vii) and (viii) are in breach of condition 2 of planning permission granted under Application Ref. K/29/23/PL whilst items (viii) and (ix) are in breach in condition 3 of the permission. For completeness, and ease of reference, the previously approved scheme drawings and decision notice are included at Appendices A and B respectively.

5 Planning Policy

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan comprises the following guidance and policies.

5.2 At the national level, regard must be had to the *National Planning Policy Framework (NPPF) 2024* as it sets out Central Government's planning policies for England and describes how the policies are expected to be applied by Local Planning Authorities when plan-making and decision-taking.

National Planning Policy Framework 2024

5.3 *National Planning Policy Framework (NPPF)* paragraph 10 states that in order for sustainable development to be pursued in a positive way, ‘...at the heart of the Framework is a presumption in favour of sustainable development’. NPPF paragraph 11 builds on this overarching aim by stating that ‘For decision-taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.*

5.4 In addition to Chapter 2 (Achieving sustainable development), from which the above paragraph is taken, the following NPPF chapters are applicable to the assessment of the existing development.

- 4 Decision-making
- 11 Making effective use of land
- 12 Achieving well-designed places

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- 5.5 At the local level, due regard should be had to policies contained within the adopted Arun Local Plan 2011-2031. The following list includes those local plan policies that are considered most applicable to the assessment of the existing scheme of development.

Arun Local Plan 2011-2031

- SD SP1 Sustainable development
- SD SP2 Built-Up Area Boundary
- D SP1 Design
- D DM1 Aspects of form and design quality
- D DM4 Extensions and alterations to existing buildings (residential and non-residential)

- 5.6 In addition to relevant paragraphs within the aforementioned NPPF chapters and adopted policies within the Arun Local Plan, due regard should also be had to relevant parts of the following:

Arun District Design Guide Supplementary Planning Document 2024

- J.05 Roofs, Openings & Articulation
- J.07 Building Edge
- L.01 Materials and Details
- M.01 Household Extensions

Kingston Parish Neighbourhood Plan 2014-2029

- KPNP1 Sustainable Development
- KPNP2 Built-Up Area Boundary
- KPNP7 Design & Development

6 Planning Assessment

6.1 This section considers the scheme's acceptability by assessing it against the development plan - whilst also having due regard to relevant material considerations. The main issues for consideration (as set out in the Officer Report prepared in connection with Application Ref. K/29/23/PL) include:

- Principle of development
- Design and visual amenity
- Neighbouring residential amenity

Principle of development

6.2 The existing scheme does not differ, in terms of its description, to the scheme that was previously supported by Officers in their approval of Application Ref. K/29/23/PL. In this respect, it is considered that the principle of development has been established and is therefore acceptable.

Design and visual amenity

6.3 The existing scheme does not differ in any way, in terms of its form and design, to the scheme that was previously supported by Officers in their approval of Application Ref. K/29/23/PL. In this respect, it is considered that the scheme's general design approach is again, entirely acceptable.

6.4 The differences in the fenestration that was previously approved and that which has been installed is insignificant - given that no further openings have been created with any of the elevations over any of the property's floor levels. Whilst the installed fenestration differs, in both style and material, from that which was previously approved, it has not had an unacceptable, consequent adverse impact on the application property's character or for that matter, local visual amenity.

Neighbouring residential amenity

6.5 By virtue of the existing scheme being identical in scale and massing to the previously approved scheme, it is reasonable to claim that occupiers of neighbouring residential properties have not been subject to any overshadowing impacts. For the same reason, neither the extension to the roof nor the reorientation of the single storey extension's roof has had an overbearing impact.

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- 6.6 In consideration of the differences in the fenestration that was previously approved and that which has been installed, it is only considered necessary to discuss the situation for the first and second floor levels as clearly, due to shared boundary treatments, the occupiers of neighbouring residential properties will not be affected by any fenestration changes that exist at ground floor.
- 6.7 On the property's north elevation, 1no. window has been removed at first floor level and 3no. rooflights have been installed within the roof slope. The removal of the first floor window clearly does not require any discussion given that there has been a reduction in the number of windows.
- 6.8 At roof (second floor) level, due to distances of 25 and 33 metres that exist between these windows and (i) the shared boundary and (ii) the nearest south-facing elevation on the property to the north, there will be no undue, unacceptable increase in opportunities for overlooking or loss of privacy.
- 6.9 Adding further weight to this is claim is the fact that (i) those windows that exist at ground floor level in the neighbouring property's south elevation are only very small, secondary bay windows and also that (ii) the rooflights within the application property only serve non-habitable rooms (providing bathrooms and a storage space) within which occupiers will spend very little time.
- 6.10 It is important to note that the approved scheme drawings for application reference K/29/23/PL stated that the glazing in this dormer window would be obscurely glazed and fixed shut up to 1.7 metres but also that no condition was attached to this effect. Notwithstanding this discrepancy, it is important to recognise that the dormer window will only serve a stairwell (non-habitable space).
- 6.11 On the property's west elevation, the amount of glazing that has been installed within the dormer window is considerably less than what was previously approved. As no concerns were raised by Officers in relation to this element of the scheme in their assessment of application reference K/29/23/PL, it is considered reasonable to assume that Officers will again, raise no concerns.
- 6.12 In their assessment of application reference K/29/23/PL, Officers suggested that *'The second-floor dormer to the East elevation is in a prominent location and would allow for oblique views toward neighbouring private rear amenity spaces such as that of 'Horizons'. It has previously been conditioned to remain obscure glazed and fixed shut up to 1.7m from finished floor level and a condition has been attached to this decision to ensure this remains as such in perpetuity'*.
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- 6.13 As noted within Section 4 above, the glazing that has been installed within the east-facing dormer window is clear and has a pane of glazing that is openable below the 1.7m minimum height that was specified within condition 3 that was attached to planning permission K/29/23/PL.
- 6.14 In spite of the differences that exist between the glazing that was previously approved and that which has been installed, it is respectfully argued that there are a number of arguments that support the view that the glazing that exists has not increased opportunities for overlooking into the neighbouring garden or property and has not thus, resulted in a consequent loss of privacy.
- 6.15 The following sets out why it is argued that the glazing within the east-facing dormer window has not resulted in any undue loss of privacy for occupiers of the neighbouring property to the east:
- a significantly less amount of glazing has been installed within the dormer window;
 - the space immediately adjacent to the dormer window accommodates a bath;
 - any persons using the bath will naturally take advantage of available sea views;
 - glazing bars within the lower section of the window limit opportunities to overlook; and
 - due the property's location, sea salt coats the window, further restricting views.
- 6.16 Accordingly, it is considered that the aforementioned differences that exist between the development that was previously approved under application reference K/29/23/PL and what has been constructed have not had an unacceptable impact on those residential amenities that were previously enjoyed by occupiers of either Horizons to the north or 71 Coastal Road to the east.
- 6.17 In addition to the above, it is also considered important to have due regard to application reference K/28/14/PL – a proposed scheme of development that was approved in November 2014 (although never implemented) which proposed demolishing and replacing the application property. A copy of the decision notice and approved scheme drawing set are included at Appendix B.
- 6.18 The permitted 2014 scheme is argued to be a material consideration in the determination of the current application – specifically on the ground that the permission that was granted included for a games room at second floor level with an unobscurely-glazed Juliet window in its east elevation.

6.19 Consequently, had the 2014 permission been implemented, the unobscurely-glazed second floor window would have been positioned in an almost identical position to the unobscurely-glazed window which *has* been installed at second floor level in the application property's east elevation.

7 Conclusion

7.1 This section reflects on the merits of the development and in turn, identifies the key reasons why it is respectfully considered that the existing scheme is entirely acceptable in planning terms.

- Planning permission that was previously secured under application reference K/29/23/PL has established the principle of the existing scheme of development;
- In design terms, the existing scheme of development is appropriate to the character of the host and has not unduly altered the visual amenity of the locality;
- Permission was previously granted under application reference K28/14/PL which allowed an unobscurely-glazed Juliet window at second floor level in the east elevation; and
- The existing scheme of development has not adversely impacted neighbouring residential amenities that were previously enjoyed by occupiers of properties to the north and east.

7.2 The existing scheme of development successfully accords with all relevant policies and guidance across all three key levels of government. For this reason, Arun District Council as the decision-makers, are therefore respectfully invited to grant retrospective householder planning permission.

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