

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

REF NO: K/22/25/HH

LOCATION: Breakwaters
33 Golden Avenue
East Preston
BN16 1QY

PROPOSAL: External cladding to first floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

K/14/25/S73	Variation of conditions following the grant of K/44/22/HH relating to the amendment of plans approved under condition 1 (amendments to fenestration).	ApproveConditionally 19-09-25
K/44/22/HH	Single storey rear and first floor side extensions, replacement of existing ground floor flat roofs with new mansard roofs, and addition of tile hanging to first floor elevations.	ApproveConditionally 14-11-22

REPRESENTATIONS

Kingston Parish Council - No response received.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

[Kingston Neighbourhood Plan 2014 Policy KPNP7](#) DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE:

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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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The dwelling is situated on Golden Avenue which is characterised by large, detached dwellings of varied design with generous front and rear amenity areas. The application seeks retrospective planning permission for external cladding at first floor level level, replacing tile hanging.

The dwelling was previously clad with tile hanging, spanning the first floor level on all elevations. The replacement cladding is light brown in colour (Millboard Shadow Line in Golden Oak). Whilst differing in colour and materiality from the tile, the cladding integrates sympathetically with the existing red brick and roof tiles, and is an acceptable replacement. The cladding has not resulted in any adverse impact on the visual appearance and design of the property.

There are existing examples of cladding within the local area, and therefore the cladding does not appear incongruous with the character and appearance of the locality.

Policy KPNP 7 of the Kingston Neighbourhood Plan concerns design and development. The cladding is appropriate and sympathetic to the Parish's character and appearance, meeting the objectives of this policy.

The works are therefore in accordance with the Arun Local Plan policies D DM1 and D DM4, Kingston Neighbourhood Development Plan policy KPNP 7, and the Arun Design Guide.

RESIDENTIAL AMENITY

Given the nature of works, the proposal has not resulted in any harm to the amenity of neighbouring properties by way of overbearing, overshadowing or overlooking. As such, the proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is in accordance with the relevant development plan policies and as such is recommended for approval subject to the following condition 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

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:

- Location and Block Plan - Proposed 07 Rev B
- Elevations - Existing 10

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 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).

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.