

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

REF NO: K/23/25/HH

LOCATION: Cloudy Bay
Gorse Avenue
East Preston
BN16 1SF

PROPOSAL: Extensions to the ground, first and second floors. Removal of existing roof and replacement with a flat roof. Changes to existing fenestration. New front and rear boundaries. Renovation and extension of existing garage. Installation of an air source heat pump and air conditioning units.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

K/37/23/PL	Replacement of an existing 2.5-storey detached dwelling with a new 3-storey plus basement detached dwelling including a front driveway, front and rear boundary walls, indoor and outdoor swimming pools, and a car lift.	ApproveConditionally 19-10-23
K/39/18/HH	Rear extension and boundary wall/entrance alterations	ApproveConditionally 10-01-19

REPRESENTATIONS

Kingston Parish Council - Objection for the following reasons:

- The proposal would not be subordinate to the existing property contrary to Arun Local Plan D DM1 and D DM4 and policy KPNP7 of the Kingston Neighbourhood Plan.
- The proposal is attempting to impost the design of the previously approved new build (K/37/23/PL).
- The sense of space between the neighbouring property would be lost.
- The height and bulk of the proposed extensions are overbearing on neighbouring properties both visually and potential loss of privacy and amenity.
- The potential loss of light to neighbouring properties due to the replacement of the existing pitched roof with a flat roof for a third storey.
- Overlooking from windows and balconies resulting in a loss of privacy.
- The loss of amenity due to the noise and vibration that could arise from the installation of air conditioning units close to
The eastern boundary and an air source heat pump close to the eastern and southern boundaries.
- There was no flood risk assessment submitted with the application. Whilst the application site remains

in FZ1 currently,

climate change scenarios shows this within FZ 2/3.

- CIL implications from the previously approved K/37/23/PL if work has commenced.
- Concerns regarding the ease of reading measurements on the plans to assess differences between this application and K/37/23/PL and who would inform ADC should discrepancies occur.

1 Objection received from nearby occupiers for the following reasons:

- Size and scale of the proposed extensions to the north, south and second storey.
- That it is not subservient to the host dwelling (D DM4).
- Change of roof from pitched to flat.
- The siting of the proposed development causing a detrimental effect on light and aspect of surrounding dwellings; of particular concern the first floor bedroom window of Little Deerswood.
- Loss of light and amenity to the main lounge windows of Little Deerswood.
- Perception and reality of overlooking from extensive balconies.
- Overbearing and overshadowing impact on both neighbouring properties.
- No site notice displayed on Kingston Gorse.

Officer's comments on representations received.

Regarding Kingston Parish Council's reasons for objection:

- No flood risk assessment is required with this application as the site lies within Flood Zone 3a climate change 2111 and not within Flood Zone 1, 2 or 3.
- Drainage Engineer (Coastal Protection) were consulted as the site lies Erosion Risk Statement - 200m mhw.
- The plans have been checked and measured using ADC's Adobe measure tool and measurements stated within the report.

Comment from the objection regarding the site notice addressed as one was secured to the front (eastern) gate outside Cloudy Bay, Gorse Avenue on 21 January 2026.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

Engineers (Coastal Protection) - No response received.

POLICY CONTEXT

Built Up Boundary Area.

Within an area with potentially high ground water.

Erosion Risk Statement - 200m mhw.

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)
QEDM1	QE DM1 Noise Pollution
WDM4	W DM4 Coastal Protection

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS**BACKGROUND**

A similar proposal to replace the existing two storey detached dwelling with a new three storey detached dwelling inclusive of a basement, as well as front and rear boundary walls, indoor and outdoor swimming pools and a car lift (K/37/23/PL) was conditionally approved 19 October 2023.

It is noted that the current application (K/23/25/HH) proposes front, side and rear extensions, roof formation changes, the extension of the existing garage and the installation of an air source heat pump, whilst maintaining the previously approved front and rear boundary walls. This proposal would be a reduction in size from the previously approved K/37/23/PL application in terms of footprint and scale.

DESIGN AND VISUAL AMENITY

The site is a large, detached dwelling located at Cloudy Bay, Gorse Avenue. This application seeks planning permission for the construction of ground, first and second floor extensions, removal of existing roof to be replaced with a flat roof, changes to existing fenestration, new front and rear boundary treatment, the renovation and extension of the existing garage and the installation of an air source heat pump and air conditioning units.

The proposed development is sited within a private residential estate with a wide variety of detached dwellings of varying height and bulk within substantial grounds, adjacent to the foreshore. The proposed design would be in keeping with the established varying character of the area and mixed street scene as there is no singular established architectural character.

The proposed development would alter the footprint of the existing dwelling, extending the dwelling at ground, first and second floors. The proposal would maintain existing flank walls and would have a maximum width of 14.3m and would have a maximum depth of 23.3m at ground floor level. The existing dwelling has a maximum ridge height of 8.8m, with a chimney forming the highest point of 9.5m. The proposed development would alter the shape of the roof from a hipped roof to a flat roof form. This would increase the main roof height by 0.5m to 9.3m. It is noted that the proposal would result in an increase in the maximum roof height of the dwelling, in addition to an increase in depth and alterations to the roof design.

The proposed development would extend over three storeys with a contemporary stepped terraced flat roof design. At ground floor the maximum flat roof height would be 2.8m and the maximum eaves height would be 2.5m, at first floor the maximum flat roof height would be 5.8m maximum eaves height would be 5.4m. At the second floor the maximum flat roof height would be 9m and the maximum eaves height would be 8.5m. Contained within the second floor flat roof would be a rooflight serving the internal stairwell. The proposed flat roofs at ground, first and second floor levels would result in a significant

change to the design of the host dwelling. Whilst this is noted, the street scene is varied in terms of the architectural designs of dwellings and there are several modern examples within the street scene. As such, the proposed alterations to the design of the host dwelling would not result in harm to visual amenity.

At ground floor level to the front (north) elevation the proposal would increase the garage width by 1.4m to 6.8m. The depth would be maintained, infilling part of the area between the host dwelling and the rear of the garage. To the rear (south) elevation the existing conservatory and rear projection would be replaced with a single storey rear extension with a depth of 5.6m and a width of 11.8m. It is noted that the depth of the single storey rear extension would exceed the 3.3m guidance depth for rear extensions to detached dwelling outlined within the Arun Design Guide (ADG). However, this would be a reduction in depth of 2.2m and a reduction in width of 0.4m from the previously approved application K/37/23/PL, and whilst the depth of the rear extension would not strictly accord with the ADG, the proposed extension would not result in harm to the visual amenity of the host dwelling and it would not be visible from the street scene.

At first floor level, the proposal would project forward 1m beyond the established building line, in line with the western flank, whilst the proposal would project forward by 2.6m in line with the eastern flank, aligning with the proposed garage infill, providing a balanced form. It is noted that the proposed front extensions would exceed the guidance depth of 1.5m set out for front extensions within the ADG. However, when compared to the previously approved application (K/37/23/PL) the proposal would be a reduction in front projection of 3m in depth. As such, whilst the front proposal would not strictly accord with the ADG, the proposal would not result in a bolt-on appearance, instead it would provide visual balance and proportionality to the front elevation and would not result in harm to the visual amenity of the host dwelling or the street scene.

To the rear (south) elevation the proposal would include an extension to the rear living amenity, a large, enclosed balcony, and an overhanging flat roof feature. The first floor extension would have a depth of 8m, including the balcony. The proposed balcony would replace an existing smaller balcony and would have a width of 11.7m and a depth of 5.5m.

It is noted that the proposed first floor rear balcony would be slightly larger than the previously approved rear balcony (K/37/23/PL) by approximately 0.2m in width and approximately 0.6m in depth. Notwithstanding this increase, the overall first floor rear extension would remain 2.2m smaller in depth than the previously approved application overall. This is because, although the balcony projects further, the overhanging flat roof element is shorter in depth. As a result, the proposal provides an increase in usable balcony space whilst reducing the extent of the roof projection, delivering a larger balcony within a smaller overall rear extension footprint.

At second floor level, the proposal would represent a reduction in size from the previously approved application and would not be visually harmful or intrusive within the street scene. On the rear (south) elevation at second floor level there would be a full-length enclosed balcony that would have a width of 10.2m wide and a depth of 1.4m.

On balance, whilst the proposed development does not comprise subservient additions to the host dwelling, the proposed development is a reduction of the previously approved application (K/37/23/PL) in terms of depth and width and would result in a development of a similar appearance to the previous approval. Moreover, the street scene is varied with other examples of modern, contemporary architecture within close proximity of the application site. As such, the proposed design of the proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and the Kingston Neighbourhood Plan (KNP) policy KPNP7.

The proposal would include tall boundary treatments to the front (north), side (east and west) and rear (south) boundaries. The front (north) boundary treatment would feature fixed aluminium panels, with 2.1m high and 0.15m wide intermittent micro-cement style piers, and two separate bifold aluminium gates on the east and west flanks. The overall width of the proposal would be 16.2m. It is noted that on the northern boundary the dwelling currently benefits from existing high boundary treatment with a central hedge, fence, and low-level wall, and two ranch style wooden gates on the east and west flank. The side (east and west) boundaries would maintain a 2m high timber fence running along the full length of the boundary.

The rear (south) boundary treatment would feature two fixed aluminium panels and one aluminium gate, with 2.1m high and 0.15m wide intermittent micro-cement style piers, and four glass panels with folding shutters. The overall width of the proposal would be 18m. It is noted that rear gardens along the southern boundary have limited privacy owing to the publicly accessible foreshore. There are varying examples of rear boundary treatment along this section of the foreshore, with some properties opting for low, open boundaries and others incorporating taller walls or fences. The ADG guidance states that boundary treatment should be of a high quality and should reflect and/or enhance the existing character of the areas and its surrounding. Given the varying heights, styles and designs of existing and previously approved (K/37/23/PL) boundary treatments surrounding the host dwelling, the proposed boundary treatments would not result in any unacceptable harm to the visual amenity of the area.

The proposed Air Source Heat Pump (ASHP) would be sited 16.4m to the rear (south) elevation of the host dwelling, behind an outbuilding, and would not be visible from the street scene. As such, this element would not result in harm to visual amenity.

Fenestration is proposed within the front, side, and rear elevations of the host dwelling, at ground, first and second floor levels in varying sizes and would be finished in aluminium. Conditions for obscurely glazed balcony screening and additional fenestration within the flank elevations at first floor level and above side fenestration will be attached to this planning permission to maintain the privacy of neighbouring dwellings. The fenestration would be of a modern appearance, however, it would not appear at odds with the character of the area, given the existing variations in terms of the styles and designs of dwellings within the street scene.

The proposed development would be finished with timber cladding and ground floor and micro cement at first and second floors. The roof tiles would be finished in GRP. It is noted that the proposed materials would differ from the existing external materials, and given the difference in the proposed materials when compared to the existing, it is reasonable to attach a condition to require details of the materials to be submitted to, and approved in writing by the Local Planning Authority prior to works commencing above the damp proof course. The proposal applies these changes consistently across the proposed development, ensuring uniformity and a coherent appearance in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and the Kingston Neighbourhood Plan (KNP) policy KPNP7.

The proposal would alter the scale and appearance of the dwelling, resulting in a larger and more modern form that would not be subservient to the original dwelling and would therefore be in conflict with Arun Local Plan policy D DM4. However, given the varied size, design and bulk of neighbouring dwellings, and the dwellings within the wider street scene, the development would not appear unduly dominant nor result in harm to the character, appearance, or visual amenity of the street scene, with the overall ridge height remaining in keeping with adjacent and surrounding properties. Therefore, the proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and the Kingston Neighbourhood Plan (KNP) policy KPNP7.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal would be set back from the front (north) boundary by 6.95m, from the neighbouring side

(east) boundary by 1.79m, from the neighbouring side (west) boundary by 2.76m and from the rear (south) boundary by 23.8m. The proposed rear extension would preserve a garden depth of 23.8m.

The proposed single storey rear extension, inclusive of a first-floor rear balcony, would be set in 2m from the neighbouring side (west) boundary and would therefore comply with the minimum separation guidance of 2m for a first-floor extensions as outlined in the ADG policy M. On the eastern side boundary, the extension would be set in 1.79m from the neighbouring side (east) boundary and would therefore not fully comply with the spacing guidance. However, given the existing high boundary treatment on both side (east) boundary, any impact would be mitigated and the proposal would not result in overbearing or overshadowing to the neighbouring (east) dwelling.

It is also noted that the proposed rear single storey extension and first-floor balcony would extend beyond the existing rear elevation of the neighbouring (east) dwelling (Little Deerswood) by 6.6m, however the dwelling to the east of Little Deerswood (Springtide) extends significantly further forward from their rear elevation by 29m. Furthermore, the depth of the proposed rear single storey extension and first-floor balcony would be reduction of 1.2m from the previously approved permission K/37/23/PL and given the spacing maintained between the extension and the shared boundary with this neighbour, the proposed single storey rear extension and first floor balcony would not result in overbearing or overshadowing impacts to this neighbour.

This reduction in depth would further remove the minor intersection of the 45-degree sightline from the closest rear ground-floor viewpoint of Little Deerswood, as noted in K/37/23/PL. Therefore, there would be no contravention of the 45-degree sightlines or light accessibility lines at ground and first floor levels and the proposal would not result in any significant overbearing impacts.

The proposed second floor rear extension would extend 1m beyond the rear elevation of the neighbouring east dwelling, approximately in line with the existing rear elevation of the neighbour to the west. This would be a 0.5m reduction in the previously approved second-floor rear extension and a 2.1m reduction from the second-floor flat roof rear extension (K/37/23/PL). Therefore, the proposal would comply with the 45-degree sightlines and light accessibility guidelines set out in the ADG and would not result in demonstrable harm to the neighbour dwellings by way of overbearing or overshadowing impacts.

Fenestration to the front (north) elevation would maintain an outlook of the front amenity serving the host dwelling and would not result in loss of privacy or overlooking to the neighbouring dwellings.

Fenestration at first-floor level on the side (east and west) elevations would be an increase on one single window within both flank elevations. To maintain the privacy for neighbouring dwellings a condition will be attached for those windows marked C* on the approved 'Proposed North and East Elevations' and 'Proposed South and West Elevations' plans to require these windows to be obscurely glazed and non-openable below 1.7m above the internal floor level. Fenestration on the ground level of rear (south) elevation would have an outlook of the rear amenity serving the host dwelling and would not result in any overlooking.

The ADG outlines that the use of flat roofs as balconies must not result in harm to the privacy of neighbouring dwellings. The proposal includes two balconies to the rear (south) elevation at first and second floor levels. These are shown to use obscure glazed screening to the eastern and western sides. However, it is reasonable and appropriate to attach a condition to secure this screening for perpetuity along the eastern and western sides of the first and second floor balconies.

Subject to this condition, the proposal would adequately limit views of neighbouring rear amenity spaces as well as longer oblique views. On balance, any views from the balconies will not be unduly harmful and

the proposal would not give rise to unacceptable overlooking effects and the proposal would be in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

The proposed air conditioning units would be located approximately 1.3m from the side eastern boundary. It is noted that these could likely be achieved without planning consent and as such, any subsequent conditions would be unreasonable. The proposed Air Source Heat Pump (ASHP) would be located approximately 7m from the rear southern boundary, approximately 1.2m from the side eastern boundary, and approximately 16.3m from the rear of the host dwelling. Given the large separation distances and that no objection was raised from Environmental Health, the proposed air source heat pump would be in accordance with the Arun Local Plan policy QE DM1.

The development would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

COASTAL FLOODING

The application site is located within an area at risk from coastal flooding and therefore has been assessed against the Arun Local Plan policy W DM4, the ADG and the National Planning Policy Framework (NPPF).

Paragraph 181 of the NPPF (2024) states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere whilst paragraph 184 of the NPPF (2024) states plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast.

Given the proposal would be a reduction from the previously approved application K/37/23/PL and would be over existing impermeable hard-surface areas, and would be set back from the coastline, the risk of flooding elsewhere or impacting physical changes to the coast are minimal. Drainage engineers were consulted on the proposal; however, no response has been received. Therefore, the proposed development would be acceptable in accordance with Arun Local Plan policy W DM4 and the NPPF.

PARKING

Part I of the ADG requires dwellings of four or more bedrooms to provide three parking spaces. The existing garage would be extended by approximately 1.5m to 6.7m; increasing parking provision for two vehicles. The front amenity of the host dwelling would maintain its existing off-street parking provision and consequently a condition to secure additional parking is not required in this case. The proposal would comply with the parking requirements set out in the Arun Parking Standards.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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 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:

- Site Location Plan.
- Proposed Block Plan.
- Proposed First Floor Plan.
- Proposed Ground Floor Plan.
- Proposed Second Floor Plan.
- Proposed Roof Plan.
- Proposed North and East Elevations.
- Proposed South and West Elevations.
- Proposed Site Plan P016 P2.
- Existing and Proposed Boundaries P015 P3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

3 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls (and roofs) of the proposed extensions have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the host dwelling and street scene by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan

policies D DM1 and D DM4.

- 4 The eastern and western side panels of the rear balconies, as marked C* on the approved 'Proposed North and East Elevations' and 'Proposed South and West Elevations' plans, at first and second floor levels of the host dwelling hereby approved, shall have fully obscured screening to a minimum height of 1.8m along the eastern and western sides of the first-floor and the second-floor balconies. The screening shall be provided prior to first use of the balcony. This arrangement shall be permanently retained thereafter.

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

- 5 The windows marked C* on the approved 'Proposed North and East Elevations' and 'Proposed South and West Elevations' plans at or above first floor level in the side (east and west) elevations of the building shall at all times be and remain glazed entirely with obscure glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and be non-openable below 1.7m above finished floor level. This arrangement shall be retained permanently thereafter.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with Arun Local Plan policies D DM1 and D DM4.

- 6 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).

- 7 **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.