

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

REF NO: K/26/18/HH

LOCATION: 87 Golden Avenue
East Preston
BN16 1QT

PROPOSAL: Two storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed development seeks to construct a rear, two storey extension on the Eastern elevation of the host dwelling.

RELEVANT SITE HISTORY

K/23/10/	Two storey side extension and ground floor extension to garage and hall	ApproveConditionally 29-11-10
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Kingston Parish Council
Parish Council - No comment.

No representations received from occupiers of adjacent dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally,

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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

By virtue of its location at the rear of the host dwelling, there are very few available views of the proposed development. Resultant of this, the proposed development is not considered to have a significantly adverse impact on the established spatial pattern of the area, or its established character. Therefore the proposal is in accordance with D DM1(1) and D DM4(e) of the Arun Local Plan.

By virtue of its location and scale the proposed extension is not considered to significantly alter the appearance of the dwelling and is well integrated with the host dwelling in accordance with D DM1(2) and D DM4(a & b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extension is not considered to give rise to any significantly adverse impact on the neighbouring dwellings other than the proposed South-facing window, serving a bathroom, provides views directly facing the neighbouring dwelling, however, this issue will be dealt with via condition. The impact of overlooking from the rear is no worse than that resulting from the existing dwelling.

With the imposition of the previously stated condition, the proposed development can be found to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan, in terms of neighbouring residential amenity.

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: JW sheets 1 to 5.

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 The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 4 The window at first floor level in the Southern elevation of the building shall at all times be fixed shut and remain glazed entirely with obscure glass below 1.7m.

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

- 5 **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.