

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

REF NO: K/26/21/HH

LOCATION: 109 Golden Avenue
East Preston
BN16 1QT

PROPOSAL: Erection of two storey rear extension with juliet balcony, front porch extension and reroofing of existing front garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This proposal seeks to erect a two-storey extension measuring approximately 4m in depth from the rear wall of the existing dwelling house and across the full width of the dwelling house. At the rear there is to be a juliette balcony and a walk out balcony. To the front a new pitched roof replacing an existing flat roof is to be provided to the garage with a overhang to provide an open porch.

REPRESENTATIONS

Parish Council - No Objection

1 neighbouring Comment - Objection. Precedent will be set with a walk out balcony.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
BUAB

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

DESIGN AND VISUAL AMENITY

The proposal seeks to provide a new two-storey rear extension with a pitched and flat roofed configuration and a small balcony at first floor level. To the front an existing flat roof covering to the garage and porch is to be removed and replaced with a dual pitched roof, forming an open porch.

The proposal will not increase the ridge height of the property nor the eaves height. The roof to the rear extension is to be lower than the existing ridge line by approximately 1.6m. The new roof to the garage will be significantly lower than the two-storey dwelling.

The proposed materials are to alter from brickwork to render, it is noted that render can already be found to the front of the property, additionally, it is proposed to introduce composite wood effect cladding board or contemporary wall hung tiles, this is considered acceptable as there are varying styles to be found in the area.

From the street the proposed re-roofing of the garage and creation of the open porch will be visible, these are considered to be visually integrated and sympathetic to the host dwelling and its surroundings, as they are of an appropriate scale and form. They do not compromise the established spatial pattern, increase footprint of the dwelling and they maintain established building lines.

Having regard to the design and visual amenity, the proposal is deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The character of the area is of generous residential plots, many with two-storey dwelling houses located centrally with good space about buildings. This proposal does not impede on this characteristic.

The two-storey rear extension maintains a good-sized rear garden, with a proposed length over design guidance recommendations. As it protrudes directly from the rear elevation of the house, the gaps between dwellings are not compromised and, at a minimum, a 2.6m gap is retained between the proposal and its nearest boundary with its neighbour to the south.

Efforts have been made to keep the bulk of the rear extension to a minimum, it is noted that the proposed ridge height is lower than the existing roof and the scheme has utilised a pitch/flat roof configuration. This is seen as a positive approach to have taken.

The proposal complies with the 45-degree rule. There are no properties to the rear of the property as it overlooks farmland.

The proposed fenestration will face towards the rear garden. It has been proposed to include 1 Juliet balcony and 1 walk out balcony at first floor level and these will serve rear bedrooms. The Juliet balcony does not raise any concerns as, by its nature, it confines views towards the back garden as would a traditional window.

Concerns have been raised regarding the walkout balcony from a neighbouring resident, stating that this could set a precedent and impinge on neighbouring properties privacy. These comments have been considered and it is felt that these issues are not of concern. Every application is decided on its own merits and under current policy, so any future applications for balconies in this location will be decided on a case by case basis. In this instance, the proposed balcony is not considered to increase overlooking as an obscure glazed privacy screen of 1.7m has been included, this will shield unwanted views over neighbouring properties to the south. It has been noted that there is a chamfer to this screen, to provide full privacy for the neighbouring property to the south it will be conditioned to be screened at 1.7m for the full depth of the balcony. To the north the balcony is naturally screened by the configuration of the gable.

It is considered that no new negative views will be obtainable which were not already achievable.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

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 CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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;

 - A 03 Proposed Plans REV 2
 - A 04 Proposed Elevations REV 2
 - A 05 Block and Location Plans REV 2
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.
- 3 The screen to the southern face of the proposed walkout balcony shall be obscure glazed to a height of 1.7m for the full width of the balcony and is to remain so in perpetuity.

Reason: In order to protect the privacy of neighbouring properties in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 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.