

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

REF NO: K/27/21/HH

LOCATION: Sandy Lodge
Gorse Avenue
East Preston
BN16 1SF

PROPOSAL: Erection of two storey front extension, single storey side and rear extensions including internal alterations, installation of rear dormer, and erection of double garage and front single storey annexe, relocation of vehicular access and associated landscaping following the demolition of existing garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks approval for a single storey side and rear extension a two storey side and front extension and a loft conversion with rear dormer window. Other various alterations to suit.
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REPRESENTATIONS

2 Neighbouring objections

- Concern over alterations and new openings to the eastern elevation and loss of privacy.
- Concern over length and height, running virtually full length of the back garden of the swimming pool building, therefore being over bearing.
- Concern over length and positioning of terrace being over bearing of the private gardens of Cloudy Bay.
- Request to consider conditions over refuse storage, landscaping, eastern balcony screening, no building waste to front and sound proofing to the swimming pool extension.
- Do not object to the modern style. However, three storey building will cast shadow over adjacent property to the west.
- Scale is excessive a few metres from Kingston Gorse (with no significant set back).

2 Neighbouring support

- Big improvement to existing property, modernising an old building.
- Sympathetic design benefitting the neighbourhood.

CONSULTATION RESPONSES RECEIVED:

Kingston PC - No objection subject to

- Overlooking considerations on neighbours
- In keeping design
- Not overdeveloping the site.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary.

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)
DSP1	D SP1 Design

[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

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.

Arun recently adopted a Design Guide which provides 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, the front and side extension should not disrupt building lines, maintain and enhance frontages, be subservient to the host dwelling and respect space between buildings. At first floor level extensions should not be visually intrusive or block light into surrounding properties, side extension should be subservient to the host dwelling and respect the space between buildings and roof extensions should not be visually intrusive or block light into surrounding properties and dormers should be positioned in discreet locations, on the rear of the property wherever possible.

Policy KPNP 7 of the Kingston Neighbourhood Development Plan relates to the design and development of proposals in 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 AMENTIY

The proposal seeks to provide a two-storey side and front extension, increasing the foot print of the garage and infilling a rear and side corner on the west elevation, a single storey side and rear extension replacing an existing single storey flat roof extension on the east elevation and conversion of the resulting loft space to form a seven bedroom property. A new balcony is proposed at first floor level

partially atop the rear extension. It is proposed to remove an existing 2 storey front porch and an existing balcony to the rear. The amount of development is considered appropriate for its intended use and the size of the plot and location. It can be demonstrated that there will be an increase of approximately 50% to the footprint, which is at the maximum suggested within policy.

The extensions will significantly increase the floor area of the dwelling however this does not negatively impact the proposal as much of the additional floor area is contained at first and second floor levels. The increase in habitable space to the first and second floor is seen as an effective use of the land, especially as the house is situated on a large plot. Likewise, the extension does not compromise the established spatial character of the area, which is characterised by other large two/three storey residential dwellings on equally large plots. The increase of single storey development results in a large footprint but it is not harmful as cannot be seen along street scene so not a reason for refusal.

The materials are to be a modern mix including render which is already present on the dwelling, vertical timber cladding and a slate roof. All the materials can be found in the locality which has an eclectic mix of the old and new.

From the street the most significant alteration is to the garage block, which has been widened with the addition of a first floor. As the extension does not come any further forward of the building line, as the eaves line is only 300mm higher than existing and as the ridge height is maintained, it is felt that the proposed extensions are subservient to the host dwelling.

It is noted that to the east the existing single storey flat roof extension has been replaced with a much longer extension, however, from the streetscape the look remains largely the same.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan, policy KPNP7 of the Kingston NP and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

The character of the area is of generous plots, many with two-storey dwelling houses located centrally with good space about buildings. This proposal does not impede on this characteristic. The existing separation distances are largely maintained if not slightly altered. At its narrowest point the existing structure is approximately 800mm away from its boundary with Cloudy Bay, with the removal of this structure and the erection of the replacement extension this gap widens to over 2m at this point. The new swimming pool structure does provide pinch points to the design but again the narrowest of these pinch points is no less than 800mm away from the shared boundary with Cloudy Bay, making the current situation no worse than the existing.

A good-sized rear garden is retained, with the majority of it exceeding design guidance recommendation.

The swimming pool rear extension does not comply with the 45-degree rule; however, the remainder of the scheme does. It has been noted that an objection from the neighbours at Cloudy Bay include the rear extension and concerns it will be overbearing. This single storey structure will be approximately 0.5m taller than the existing single storey extension. The rear extension measures 3.7m in height and is over 2m away from the boundary; it is concluded that the property could build a similar scale detached Permitted Development structure running to a larger footprint. Therefore comments relating to the rear structure being overbearing are not considered applicable and the proposed structure acceptable.

Given the good separation distance at ground and first floor levels it is considered that the extensions are not overbearing on either neighbour.

The fenestration to habitable rooms will prominently face towards the rear garden or towards the public realm at the front. Concerns have been raised by neighbours that there are proposed windows to the

east elevation which may cause overlooking. It is considered that rooflights to the east elevation do have a low enough sill level to warrant obscure glazing and to be fixed shut as do the 3 windows at ground floor level, especially as these windows are not the primary light source within each of the rooms they serve. The windows at first floor are existing and therefore remain uncontrollable.

It has been proposed to include a terrace at first floor level, exiting from the living accommodation to be found in the 'upside down' room configuration. The initial submission showed this terrace partially screened. After discussions with the agent it was agreed to extend the length of the privacy screening down the full length of the terrace to protect the privacy of Cloudy Bay. It will now have a minimum height of 1.8m to its eastern elevation, this is considered acceptable.

The inset dormer to the second floor is well screened by the structure of the window, no issues with overlooking will arise from this

It is positively viewed that the fenestration on the second storey takes the form of rooflights on 3 elevations, this maintains the feel of a loft conversion whilst providing what is essentially a new full storey within the building footprint and reinforces the proposals subservience on the host dwelling.

It is therefore considered by virtue of the proposal not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (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 Liable 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;

Revised plans dated 3rd August 2021

- Elevations 6808 PL-021 P2
- Elevations 6808 PL-020 P2
- Roof Plan 6808 PL-013 P2
- 2F Plans 6808 PL-012 P2
- 1F Plans 6808 PL-011 P2
- Street Scenes 6808 PL-022 P2
- Sections 6808 PL-030 P2

And plans dated 1st June 2021

- GF Plans 6808 PL-010 P2
- Location Plan 6808 PL-001
- Block Plan 6808 PL002
- Design and Access Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM 1 and D DM4 of the Arun Local Plan.

- 3 Notwithstanding the annotation on the approved plans, the proposed rooflights on the east and west elevations shall at all times be glazed with obscured glass, with a minimum sill height of 1.7m.

Reason: In the interest of protecting the privacy of neighbours in accordance with policies D DM4 and D DM1 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.