

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

REF NO: K/29/15/HH

LOCATION: The Tower
Seaview Avenue
Kingston

PROPOSAL: Two storey extension to East, first floor extension to West & new pitched roof on existing garage (resubmission following K/20/15/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for the construction of a two storey side extension to the east of the original dwelling, increase in height of the existing roof of the two storey element of the dwelling and the addition of a pitched roof above the existing garage.

SITE AREA

Approximately 750 m2.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The rear boundary of the site consists of a 1.8m high steel fence with the front boundary featuring a 2m high brick wall with the side boundaries consisting of 1.8m high close boarded fencing and mature planting. The eastern boundary of the site features mature trees at a height of approximately 6 metres.

SITE CHARACTERISTICS

The site is occupied by a locally listed former water tower 4 stories in height with a two storey element located to the west of the tower with a detached garage location on the eastern boundary of the site.

CHARACTER OF LOCALITY

The locality of the site is semi-rural and features large residential properties located in larger plots.

RELEVANT SITE HISTORY

K/20/15/HH	Two storey extension to east, first floor extension to west & linked garage with ancillary accommodation above.	Withdrawn 27-07-2015
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A previous application under reference K/20/15/HH sought permission for a larger scheme but

was withdrawn following discussion with the Local Planning Authority so as revisions could be made.

REPRESENTATIONS

Representations received:

Kingston Parish Council

Kingston Parish Council has no objection to this application subject to the materials and finished being agreed by the Arun Conservation Officer.

3 letters of objection:

- The original water tower would be lost between the new buildings that would be placed on either side of the tower. Its character as a free standing structure would be lost.
- Proposal contravenes policy HER DM2 as the architectural and historic interest of the tower would be lost.
- The proposed plans will create windows which will overlook Rest Harrow.
- The proposal will sandwich the tower between two buildings and will fail to preserve the historical/architectural integrity of the structure.

Comments on Representations received:

Comment of Kingston Parish Council noted.

In response to the 3 No objections:

- The tower would remain a dominant feature upon the site and it would be maintained in its existing form and appearance. Given the location of the tower it is not considered that the proposed extension will be overly prominent or dominant.
- It is not considered that the architectural or historic interest of the tower will be lost.
- The eastern boundary of the site features mature planting to a height of approximately 6 metres. The Tower already features windows on the primary elevation up to 4 stories in height. As such it is not considered that the proposal will give rise to unacceptably adverse overlooking. It must also be considered that Rest Harrow is located at its closest point 20 metres from the proposed extension.
- See above comments.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Principle Conservation Officer:

Comment

The property has been identified by the council as a Locally Listed Building or Structure of Character. As such it is a heritage asset. A heritage asset is defined as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)".

The property is an attractive structure and every attempt must be made to ensure that its significance is not harmed by any proposals. It is noted that this is a revised proposal following a withdrawal.

It is considered that the concept of an extension is more favorable now that it has been reduced

in size, and separated from the garage. This enables the tower to retain a dominant position.

The revised garage is now considered to be much more acceptable.

However, there is still some concern with regards to the roof structure and the impact that the dormers/windows will have upon the property. Essentially, if not careful, they have the power to become quite a dominant feature (especially the southern elevation). In addition, the use of the clay tile as part of the wall gives the impression that the roof extends down much further than it actually does. There is no easy solution to this issue, but may require some thought.

The fenestration should be designed so that it complements the property.

Details of materials, finishes and fenestration should be provided by way of condition.

Relevant policies:

Arun District Local Plan 2003:
GEN 22: Buildings or Structures of Character

Emerging Local Plan 2014:
HER SP1: The historic environment
HER DM2: Locally Listed Buildings or Structures of Character

Relevant SPD's:

Buildings or Structures of Character Supplementary Planning Document

Comments on Consultation responses:

Comments noted and conditions included in relation to materials, finishes and fenestration.

POLICY CONTEXT

Designation applicable to site:
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: DEV19
 GEN2
 GEN7
 GEN22

Publication Version of the Local
Plan (October 2014):

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development
Buildings or Structures of Character
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
HER DM2 Locally Listed Buildings or
Structures of Character
HER SP1 The Historic Environment
SD SP2 Built-Up Area Boundary

Kingston Neighbourhood Plan 2014 Policy KPNP7 DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD9

Buildings or Structures of Character

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Kingston Neighbourhood Plan has been made and policy KPNP7 is considered relevant to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made

under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case would be policies GEN7 and DEV19. However, the building is Locally Listed and as such it will be necessary for the proposal to be considered against policy GEN22 of the Arun District Local Plan and policy HER DM2 of the Emerging Local Plan. Policy KPNP7 of the Kingston Neighbourhood Plan is also relevant in the determination of this application.

DESIGN AND VISUAL AMENITY

The application seeks permission for the addition of a two storey side extension located to the east of the tower which will measure 7.9 metres in width, with a ridge height of 7.1 metres. The proposed two storey extension will mirror in width that of the existing two storey element of the dwelling. It is proposed that the ridge height of the existing two storey portion of the dwelling will be increased to 7.1 metres in order to match with the proposed extension and provide adequate head room at first floor level.

The increase in height of the existing two storey element of the proposal is not considered to adversely impact upon the character of appearance of the water tower. The dwelling will be the same height as the existing garage of the neighbouring property. The water tower will remain the dominant feature of the site with the building providing symmetry and balance which currently does not exist at the site. The water tower will remain visible dominant when viewed from the north and its importance and character will be preserved in accordance with policy HER DM2 of the Emerging Local Plan.

The two storey side extension although being large in scale is not considered to overpower or unbalance the existing dwelling and as such will appear subservient and well integrated through the use of matching materials in accordance with policies DEV19 (i) and (ii) of the Arun District Local Plan.

The proposal will feature 10 No. dormers, with 6 located on the primary elevation and 4 to the rear. The existing dwelling features two dormers on the primary elevation of the property currently with roof lights in the rear elevation. Although the number of dormers present upon the property has increased they are not considered to be an overly dominant feature on the site. They are

designed sympathetically in both size and appearance and as such are considered acceptable.

The proposal will not be dominant or clearly visible within the street scene and as such is not considered to be in conflict with policies GEN7(ii) and DEV19(v) of the Arun District Local Plan.

The addition of a roof to the detached garage is considered acceptable, it will be low in height and will not be overly dominant when viewed from the north. Therefore, this aspect of the proposal is considered to be in accordance with policies GEN7(ii) and DEV19 (i) & (ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed alteration to the existing dwelling are not considered to give rise to any unacceptable impacts upon the residential amenity of adjoining neighbours or properties. The proposed two storey element will be located 18.53m from the property to the east of the application site, this distance in conjunction with the existing 5m high boundary screening is considered adequate to prevent harmful overlooking. It should also be considered that the tower itself is four storeys in height and as such the two storey extension is not considered to give rise to any unacceptably adverse overlooking. The proposed two storey extension and increase in height of the existing two storey element of the original dwelling is not considered to appear overbearing or overshadowing upon any neighbouring properties.

Therefore, the proposed alterations and extension are considered to be in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

It is recommended that planning permission is granted for the proposed development subject to the below 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 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 a neutral impact has 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.

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: Location & Block Plans - 15757/06 B; Proposed Ground & First Floor Plans - 15757/03 B; Second & Third Floor Plans Proposed - 15757/04 B; Proposed Elevations - 15757/05 B; and Proposed Section - 15757/07 B.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed alterations and extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the alterations and extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, character and appearance of the Locally Listed Building by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and GEN22 of the Arun District Local Plan.

- 4 No development shall be carried out until details of the proposed window construction and fenestration details have been submitted to and approved by the Local Planning Authority and the window so approved shall be in accordance with these approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, character and appearance of the Locally Listed Building by endeavouring to achieve a building of visual quality in accordance with policies GEN7 and GEN22 of the Arun District 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.