

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

REF NO: K/2/22/HH

LOCATION: 43 Golden Avenue
East Preston
BN16 1QX

PROPOSAL: 2 storey front and rear extensions and alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct two storey front and rear extensions that extend the full width of the property, projecting 4.9m out to meet the extent of the existing front building line and projecting 3.6m to the rear of the property. The proposal also includes enlargement of the existing front dormer and installation of 2 No. rear roof dormers and 1 No. rear roof Juliet balcony.
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REPRESENTATIONS

Kingston Parish Council - No Objection:

- Provided that side windows, rear dormers and rear balcony have adequate conditions to protect neighbouring amenity.

1 Nearby occupier - Objection:

- Overdevelopment
- Overshadowing
- Out of character with locality
- Privacy concerns
- Parking provision concerns
- Covenants

West Kingston Residents Association - Objection:

- Out of character
- Overdevelopment
- Parking provision concerns
- Privacy concerns

East Preston and Kingston Preservation Society - Objection:

- Overdevelopment
- Parking concerns
- Surface water drainage concerns
- Possible conflict with parts of KPNP 7 neighbourhood plan policy

2 Nearby occupiers - No Objection:

- Consider covenants
- Consider parking provision

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

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.

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 nearby occupiers of land.

The Arun Design Guide 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. Section M specifically relates to dwellinghouse extensions and enlargements, set forward design principles and rules that aim to minimise adverse impacts on neighbouring amenities.

DESIGN AND VISUAL AMENITY

The host dwelling is a 2 storey, 3 bedroom detached dwelling with a front garage, rear conservatory and utility room. The property has a substantial curtilage and backs onto a large agricultural field. The proposal seeks to erect two storey front and rear extensions and convert the roof into a habitable space, enlarging the existing front roof dormer and installing a 2 No. rear roof dormers and a central Juliet balcony. The proposal provides a substantial increase in floorspace, nearly doubling that of the existing dwelling and resulting in a 6 bedroom dwelling.

The proposed 2 two storey front extension projects approx. 4.91m to the front of the property, this matches the extent of the existing front garage and as such, does not exceed the host dwellings existing building line. This projection is in line with the established building line on the street, as such, it is appropriate. The height of the proposed front extension is approx. 7.5m and the front dormer reaches a peak height of approx. 8.7m, neither of which exceed the height of the existing ridge line. The existing front central roof dormer is to be extended forward and enlarged, complimenting the design of the proposal. The enlargement and alteration of the front of the dwelling is large, prominent and not subservient however, it is an attractive design that retains and enhances prominent features that give the host dwelling its character. It also consists of matching materials to those found on the existing dwelling. Additionally, the front extension retains approx. 9.2m to the front site boundary which is considered sufficient. The proposal would result in the dwelling being larger than those of its direct neighbours (No. 41 and 45 Golden Avenue) however, the proposal does not exceed the existing ridge height and it is not considered out of scale with other adjacent and nearby neighbour dwellings along the street such as No. 42 and 55. Though the proposal would be a substantial alteration in the street scene, it is not considered out of character in design and acceptable in scale, having acceptable adverse impacts on the street scene.

The proposed two storey rear extension projects approx. 3.6m to the rear of the property, reaching a height of approx. 6.3m. The proposed rear dormers are set lower than the existing ridge line at heights of approx. 8.7m and the rear central roof projection meets the existing ridge line at approx. 8.85m. The scale of the rear proposal components are large, providing a significant rear alteration not subservient to the host dwelling. The design is attractive and also consists of materials matching those found on the existing dwelling. The rear extension is not out of character within the locality given its rear location and being similar in scale to other rear extensions within the locality. The proposed rear extension retains approx. 16m of rear garden amenity space and is separated from the North and South site boundaries by approx. 2.5m and approx. 3.1m respectively.

The proposed rear roof dormers are present within the rear of the roof on the second floor. These components do not exceed the height of the existing ridge line, remaining sympathetic to its built form. Although there are few examples of rear roof dormers on the second floor within the immediate area, the scale of these dormers are appropriate and well integrated. Their design features a pitched roof matching that of the proposed central roof projection, providing a consistent design. This component is not visible from the front of the property and therefore has no impact on the street scene.

The proposed central rear roof projection with associated Juliet balcony is prominent, meeting but not exceeding the height of the existing ridge line. The form of this projection is integrated and sympathetic to the form of the existing roof and integrated is design with the proposed rear dormers. The scale of this rear central projection in relation to its host dwelling is acceptable. This component has very minimal views from the front of the dwelling and therefore, has an acceptable visual impact on the street scene.

The proposal is not proportionate to its host dwelling since it is nearly doubling the overall dwelling size making it contrary to one section of policy KPNP 7(1iii) however, it is considered in scale with the original dwelling, not exceeding front and side building lines or ridge height. It is also in scale with other properties in its locality and as such, this is not considered grounds for refusal.

The proposal is compliant with relevant development plan policies D DM1(1,2), D DM4(a),(e), D SP1 of the Arun Local Plan and KPNP 7(1i),(2iii) of the Kingston Neighbourhood Development Plan. Although the proposal is not compliant with D DM4(b) of the Arun Local Plan and KPNP 7(1iii) of the Kingston Neighbourhood Development Plan as far as it is not subservient or in proportion to the host dwelling. The scale of the proposal is not out of character with other large dwellings within the area and therefore, a refusal on this ground is not justified.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal is a substantial increase in built form with the potential to impact residential amenities of neighbour dwellings No. 41 and 45. The Arun Design Guide provides advice on assessing the impact on neighbours from the effects of overbearing and overshadowing by using the 45 Degree rule.

The northern elevation of No.43 Golden Avenue is separated from the northern site boundary by approx. 2.5m at its closest point. There is a minor intersection of the 45 degree light accessibility line of approx. 0.3m when drawn from a 2m high boundary fence caused by the north-eastern corner of the proposal. There is an overall separation of approx. 6.4m between the north-eastern corner of the proposed rear extension and No.41 Golden Avenue. This larger separation, combined with the substantial boundary treatment populated by trees, minimises the negative impacts by way of overshadowing the minor intersection of the 45 degree line may give rise to. Although not in direct compliance with the 45 degree rule for light accessibility, it is not considered that the rear extension proposal will give rise to significant adverse impacts by way of overshadowing of No. 41 Golden Avenue. Additionally, the proposed rear extension does not intersect 45 degree sightlines from the rear windows of No.41 Golden Avenue.

The separation distance between the southern site boundary and the southern elevation is approx. 3.1m. This separation allows for no intersection of 45 degree light accessibility lines. Furthermore, the proposed rear extension does not intersect 45 degree sightlines from the rear of No.45 Golden Avenue. As such, there is no adverse impact by way of overshadowing or overbearing on No.45 Golden Avenue.

The front elevation retains all existing viewpoints but alters the designs of the windows, moves them 4.9m to the front of the property and installs 1 No. new window providing a new viewpoint on the northern side of the first floor front elevation. The front extension also includes a set of ground floor doors on the northern elevation. None of these viewpoints give rise to adverse impacts by way of overlooking.

The proposed rear extension moves the existing ground and first floor rear viewpoints towards the rear of the property by approx. 3.6m. Due to the orientation of this plot with the northern neighbour, this increase in depth moves the existing sightlines 3.6m further down the neighbouring rear garden but also approx. 1.4m closer to the northern site boundary. The proposed first floor rear viewpoints may have some minor increase in potential for overlooking however, they are not considered to give rise to significant adverse impacts by way of overlooking.

The proposed rear dormers are a prominent feature at the rear of the property. Both dormers would provide sightlines that are able to look into the rear garden of their neighbouring properties due to their siting and height. As such, these rear viewpoints have been conditioned to be of obscure glazing up to 1.7m.

The proposed rear Juliet balcony, is a revision of the original proposed rear balcony on the second floor. The Juliet balcony is set back by approx. 1.7m within the pitched roof. This restricts the viewpoint, minimising the angles at which significant views can be achieved. As such, the impacts of overlooking have been minimised and will not significantly harm neighbouring amenity.

There are 5 No. new side windows on the first floor of the dwelling. These are to serve 4 No. en-suite

bathrooms/toilets and 1 No. linen room. These windows have been conditioned to be of obscure glazed and fixed shut up to 1.7m in pursuance of protecting neighbouring amenity from adverse impacts by way of overlooking.

The proposal is in compliance with relevant development plan policies D DM1(3) & D DM4(c) of the Arun Local Plan and KPNP 7 (1iv) of the Kingston neighbourhood Development Plan relating to impacts on neighbouring amenity.

PARKING

This application seeks to convert what is currently a three bedroom dwelling into a five bedroom dwelling with a guest bedroom, totalling at six bedrooms. The Parking Standards Supplementary Document identifies this property as within Parking Behaviour Zone 2 and with 4+ bedrooms, states that 3 parking spaces is sufficient. This proposal provides the necessary three spaces and is considered acceptable. The Kingston Neighbourhood Plan Policy KPNP 7(2i) states that any change in the nature of front gardens should require the use of impermeable surfaces. The proposal is to convert a section of the front garden to provide room for the three parking spaces. There is sufficient parking spaces and they are to consist of impermeable surfaces and as such, this is compliant with KPNP 7(2i) & (1vii) of the Kingston Neighbourhood Development Plan that regard parking provision and the materials used for such provision.

COVENANTS

There has been concerns raised regarding local covenants assigned to this plot. Covenants are a separate planning issue and as such, they are not enforceable by the Local Authority.

SUMMARY

Following correspondence with the agent/applicant and subsequent alterations. The proposal is considered compliant with relevant development policies D DM1 & D DM4 of the Arun Local Plan. The proposal is also compliant or within acceptable contradiction to Policy KPNP 7 of the Kingston Neighbourhood Development Plan. As such, it 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

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:

 - Proposed Ground Floor and First Floor Plan Dwg No 11-21 GA Pc
 - Location Plan and Existing & Proposed Block Plan Dwg No 11-21 GA pf
 - STREET SCENE/PARKING 21/4821/1
 - Proposed Second Floor & Roof Plan Dwg no 11-21 GA pd (Revision 2, 4/3/22)
 - Proposed Elevations Dwg no 11-21 GA pe (Revision 2, 4/3/22)
Reason: For the avoidance of doubt and in the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.
- 3 The 5 No. first floor side windows hereby approved, shall be of obscure-glazed and fixed shut up to 1.7m. This shall be retained in perpetuity.

Reasons: In the pursuance of minimising adverse impacts by way of overlooking and accordance with policies D DM1 & D DM4 of the Arun Local Plan.
- 4 The 2 No. rear dormers hereby approved will be of obscure-glazed and fixed shut up to 1.7m. This will be retained in perpetuity.

Reason: In the pursuance of minimising adverse impacts by way of overlooking and accordance with policies D DM1 & D DM4 of the Arun Local Plan.
- 5 The section of flat roof immediately to the rear of the Juliet Balcony hereby approved, shall not hereafter be used as a balcony or roof terrace.

Reasons: In pursuance of minimising adverse impacts by way of overlooking and accordance with policies D DM1 & D DM4 of the Arun Local Plan.
- 6 The surface materials used for parking provision to the front of the property will be impermeable in nature and permanently retained as such.

Reasons: To mitigate impacts on drainage and for compliance with policy KPNP 7 of the Kingston Neighbourhood Development Plan.

- 7 **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.