

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** K/30/15/HH**LOCATION:** 37 Golden Avenue
East Preston
Kingston**PROPOSAL:** Single storey side & rear extensions.**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

As above. The extensions would all be single storey. The porch extension to the front elevation would be 2m by 2.68m and the garage would be 2.8m from the side elevation and have a height of 2.8m. The rear extension and porch would have a false pitch.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Fencing hedging to approx. 1.5 - 2m enclosing rear garden. Front garden 1m high walling to front and hedging/walling to sides

SITE CHARACTERISTICS

Detached 2 storey dwelling with integral garage and car port to side. Elevations red brick to base and buff to first floor. Tiled roof. Neighbouring property to north has a flat roofed garage adjacent to the side boundary.

CHARACTER OF LOCALITY

Predominantly residential characterised by mainly detached 2 storey of varying design set back a uniform distance from the road frontage.

RELEVANT SITE HISTORY

K/23/59 Dwelling & garage

Approve

16-09-1959

K/18/80 Car port canopy

ApproveConditionally

08-10-1980

REPRESENTATIONS

Representations received:

Kingston Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN7](#)
[DEV19](#)

The Form of New Development
Extensions to existing residential buildings

[Publication Version of the Local
Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

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

PLANNING POLICY GUIDANCE

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. Policy KPNP 7 of Kingston Neighbourhood Plan is considered relevant.

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

The site is located within the built-up area where the principle of development is acceptable in principle subject to accordance with planning policies in the Development Plan relating to design, visual amenities and residential amenity.

Policies GEN7 and DEV19 relate to the design of new development and extension to residential properties respectively. Policies DDM1 and DDM4 in the Emerging Arun District Local Plan are also considerations and seek to ensure that development would not have an adverse impact upon visual and residential amenities.

The extension would be located 10cm from the northern boundary and 4m from the southern boundary and would extend 5.3m to the rear of the property. It is single storey and the side extension would be located in the area of the existing car port and would not be readily visible in

the street scene since it would not project forward of the front elevation of the dwelling. The porch extension is considered to have minimal impact on the visual amenities of the locality given its limited size. The extensions would be subservient to the main dwelling in terms of their scale, footprint, height and position and would be constructed of materials to match the existing to visually integrate the extension with the existing property.

The extension would leave a gap of only 10cm to the northern side boundary and would extend for a distance of 14m adjacent to the side boundary, but it would be flat roofed. It is considered that given the size and height of the extensions, the distance to the boundaries and that there is a neighbouring garage adjacent to the site to the north that there would be no adverse overbearing impact on the adjoining properties to the north or south.

The proposed rear and side extensions are considered to accord with policies GEN7 and DEV19 of the Arun District Local Plan and and policies DDM1 and DDM4 of the Emerging District Local Plan and is recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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 neutral 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).

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 6415.1 and 6415.2.

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 **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.