

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

REF NO: K/31/20/HH

LOCATION: Moorings
Gorse Avenue
East Preston
BN16 1SQ

PROPOSAL: Single storey side extension to Western elevation. Single storey rear veranda infill extension. Rebuild of garage. First floor side facing (east & west) roof-lights. Note - widening of existing rear (south) dormer window and two new rear (south) dormer windows in lower hipped roof including balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct various extensions and alterations to the host dwelling. This includes a single storey side extension to the Western elevation, a rear infill extension, a new garage and rooflights.

REPRESENTATIONS

Kingston Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

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 KP7](#) DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, KPNP7 of the Kingston Neighbourhood Development Plan.

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.

DESIGN AND VISUAL AMENITY

The proposed rear infill extension is of a minor scale, and there will be few views of this element of the proposal from the public realm. Furthermore, this extension is considered to be a subservient extension to the host dwelling due to its modest scale and use of materials to match.

The proposed side extension joins the proposed rebuild of the garage at the front of the host dwelling. Whilst the scale of these extensions are noted, there is screening present bordering the application site, which is considered to mitigate any potentially harmful views of the proposal, as they screen views of the existing garage. Whilst the proposed extension is not considered to be acceptably integrated with the appearance of the host dwelling due to its scale and design, it cannot be considered to result in unacceptable harm to the character of the host dwelling within the public realm, or the character of the locality, due to there being few views of the proposal and the existence of a garage in this forward location.

The proposed development is considered to be in accordance with D DM1 and D DM4(e) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is predominantly due to the aspect of the application site, and the scale of the proposed extensions. Whilst the height of the side extension and its proximity to the Western site boundary means that 1m of the extension will be visible, this is not considered to result in any significant harm, due to the size of the private amenity areas under consideration.

The proposal is not considered to result in any harm to the privacy of neighbouring dwelling, due to the single storey nature of the proposed extensions. The two rooflights on the Western elevation of the proposal may give rise to harm to the occupiers of the adjacent dwelling, and will therefore be conditioned to be obscure glazed and non-opening below 1.7m. To the East, these windows are considered to overlook an access path only. The views from the proposed dormer window and balcony

are considered to be reasonably similar to those existing from the host dwelling at current. Due to the projection of the balcony, it is considered that there is potential for direct overlooking of neighbouring dwellings to the West, therefore, it will be conditioned that obscure screening be installed on this elevation of the balcony.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following 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 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

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.

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:

- Site & Roof Plan - (A)
- Proposed Ground Floor Plan - KG/GA/04 - C - June 2020
- Proposed First Floor Plan - KG/GA/05 - A - June 2020
- Proposed Elevations - KG/GA/06 - B - June 2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The proposed rooflight windows at first floor level in the Western elevation of the building shall at all times be and remain glazed entirely with obscure glass, and fixed to be non-opening, below 1.7m from internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.

- 4 Prior to use of the balcony, details of 1.8m high permanently fixed obscure glazed panels must be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the balcony. Prior to the use of the balcony, the panels shall then be installed on the Western elevation of the proposed balcony, and shall be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun 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.