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

REF NO: K/32/17/HH

LOCATION: The Poynings
Middle Way
Kingston
BN16 1SB

PROPOSAL: Side extension, conversion of existing garage & renovation of existing house

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The application seeks permission for the construction of a two storey side extension which will measure approximately 3m in width with a maximum ridge height of approximately 7.4m. The proposal also includes a single storey rear extension which will extend 1.4m in depth, 4.2m in width with a height of 3.3m with a balcony above. A small front extension 3.4m wide and 0.6m deep The proposal includes alterations to the roof through the replacement of the existing dormer windows. The proposed dormer windows will be set approximately 0.5m and 2.2m lower than the ridge height. There would be proposed windows in the west elevation. Materials would be brick to match, timber cladding and slate tiles.
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	The front boundary of the site is open with the side boundaries of the site consisting of a mixture of mature planting and close boarded fencing to a height of approximately 1.8m. The rear boundary of the site features a 1m high wire fence and is largely devoid of planting.
SITE CHARACTERISTICS	The site is occupied by a detached chalet bungalow with brick elevations and a tiled roof. The existing dormer windows on the primary and rear elevation white cladding.
CHARACTER OF LOCALITY	The character of the locality is residential and features larger detached properties set in large plots. The dwellings in this locality are varied in design and construction and feature a wide variety of materials

RELEVANT SITE HISTORY

K/34/67	Extension To Dining Room & Alterations To Patio (Amendment To Plan No K/28/67)	Approve 11-01-68
K/26/16/HH	Ground & first floor extensions to side & rear.	ApproveConditionally 23-09-16

Planning permission has been granted for ground & first floor extensions to side & rear in 2016 and the current proposal comprises a modest variation of this permission

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council

Kingston Parish Council has no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Built up area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

Publication Version of the Local Plan (October 2014):

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

D SP1 Design

SD SP2 Built -Up Area Boundary

Kingston Neigbourhood Plan 2014 Policy KPNP7	DESIGN & DEVELOPMENT
Kingston Neigbourhood Plan 2014 Policy KPNP1	The Presumption in Favour of Sustainable Development
Kingston Neigbourhood Plan 2014 Policy KPNP2	BUILT-UP AREA BOUNDARY

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

The relevant policies in the Kingston Neighbourhood Plan have been taken into account.

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 application site falls within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are considered to be policies GEN7 and DEV19 of the Arun District Local Plan; Policy KPNP7 of the Kingston Neighbourhood Plan; D DM1 and D DM4 of the Emerging Local Plan; and the National Planning Policy Framework.

When considering the previous application the proposed alterations to the dwellinghouse were not considered to appear subservient to the host dwelling or well integrated with the existing dwelling. Therefore, the proposal was not considered to accord with policies DEV19(i) and (ii) of the Arun District Council Local Plan. However, due to the amount of work proposed it was considered to constitute wholesale redevelopment of the site and as such although DEV19 is a material consideration the key policy considerations in the determination of this application must be policy GEN7 of the Arun District Local Plan; policy KPNP7 of the Kingston Neighbourhood Plan; and the National Planning Policy Framework. As the current application involves modifications to the is approval, which is a material consideration, a similar conclusion is reached.

In addition to the removal of two of the larger roof extension from the previously approved schemes, the current proposal also reduces the single storey wing on the east side of the property. Likewise the side extension is slightly reduced and there is a small extension to the rear and to the front. Therefore these changes reduce the visual impact and are acceptable. The proposed development provides for new windows in the west elevation, these are narrow openings rather than full height windows and are visually acceptable.

The proposed alterations to the existing dwelling are considered in keeping with the established character of the locality which features properties of various designs and styles. The proposed flat roof dormer windows are comparable to the existing dormers and the larger pitched roof alterations are considered to appear well integrated with the proposal. Therefore, the design and appearance of the proposed dormers which are considered to accord with policy GEN7(ii) of the Arun District Local Plan.

For the reasons above, the proposed development is not considered to be harmful to the character and appearance of the host property and the wider area.

No objection was raised to the previous approval on amenity grounds. The current proposal is generally reduced in size although there are new windows in west elevation. These would overlook the adjoining property to the west however, as they are not the only windows to the room it is considered that suitable planning condition to require obscure glazing would ensure there is no loss of privacy. Therefore, the proposal is not considered to give rise to any unacceptably adverse overbearing or overshadowing impacts and as such are deemed to accord with policies of the Arun District Local Plan.

The proposed development is considered acceptable and would comply with policies in the Arun Local Plan and the Kingston Neighbourhood Plan 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

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 16057-100 & 16057-101A (received 17/01/2018)

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 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 The windows on the west elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

5 No windows (other than those shown on the plans hereby approved) shall be constructed in the west and east elevation of the extension hereby permitted which adjoins the side boundary with Little Tangley and Marlins, respectively, without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

6 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.