

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

REF NO: K/39/18/HH

LOCATION: White Lodge
Golden Acre
Kingston
BN16 1QR

PROPOSAL: Rear extension and boundary wall/entrance alterations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a single storey rear extension to the Northern elevation of the host dwelling. Additionally, alterations to the boundary wall, and entrance of the site.

RELEVANT SITE HISTORY

K/13/10/ Proposed roof alterations including new gable end wall at rear ApproveConditionally
20-07-10

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council

Parish Council - No objection.

1 Letter of objection from adjacent occupier.

- There are restrictions of the deeds which dictate limits of the development of garden spaces.
- There is a risk of flooding of the garden to the North of the application site.
- The height of the proposal is imposing on the neighbouring property and blocks light.
- The proposals is sited 1.5m from the fence, the glazed doors will overlook the neighbours property, there will be sight into the south facing rooms.
- There is a covenant within the Estate that dictates that 50ft must be maintained between a rear boundary and a property.

OFFICERS COMMENTS ON REPRESENTATIONS:

Matters relating to the deeds, or covenants of the properties are not planning considerations, and therefore will not be addressed within the report. Informal correspondence was had with the Council's Drainage Engineers, who confirmed that White Lodge, nor the property to the North are at risk of surface water flooding.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy KPNP7 of the Kingston Neighbourhood Development Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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 changes to the entrance are visible from the street scene, as a result of their siting. However, the locality is populated by a mixture of different front boundary treatments, and therefore, this aspect of the development is not considered to have a significantly detrimental impact upon the

established character of the host dwelling, or its locality.

Resultant of its siting, few available views of the extension from the street scene, as only a small part of its Southern elevation is visible, as the majority of the proposal is shielded by the existing garage. Whilst the proposed development is large, as it has a maximum height of 4.3m, it is still considered to be a subservient addition to the host dwelling, especially within regard to the large residential plot. The proposed development is considered to be a sympathetic and well designed addition to the host dwelling. This is resultant of its built form, and proposed materials to match the host dwelling.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly detrimental impact on the neighbouring amenities of adjacent occupiers. A landscaping scheme has been submitted as part of the proposal, which is considered to alleviate any potential overbearing impact of the proposed development upon the occupiers of the adjacent dwelling. The design of the extension allows the roof to have a shallow angle, sloping down to an eaves height of 2.2m, this is distanced 1.5m from the boundary with the adjacent dwelling to the North. This design is also considered to prevent any significantly harmful overshadowing or overbearing impact on the occupiers of the residential unit to the North. Additionally, this proposed screening is considered to block any potential views from the proposal toward the rear/side of the dwelling to the North. Whilst the proposed development is only single storey, views would be available over the existing Northern boundary fencing, as a result of the topography of the area.

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:

- Location & Block Plan - 181329/08 - Rev. A - Oct 18
- Proposed Ground Floor Plan- 181329/04 - Oct 18
- Proposed First Floor Plan- 181329/05 - Oct 18
- Proposed Elevations - 181329/06 - Oct 18
- Proposed Front Wall- 181329/07 - Oct 18

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 materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 4 The development hereby permitted shall not be occupied until details of trees and shrubs have been submitted to and approved by the Local Planning Authority, and then (in the next planting season) have been planted along the Northern boundary of the application site (as indicated in Location & Block Plans - 181329/08 - Rev. A), and retained as such thereafter.

Reason: In the interests of the amenities of the locality in accordance with policy D DM1 and ENV DM4 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.