

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

REF NO: K/42/21/HH

LOCATION: East Kingston House
Kingston Lane
East Preston
BN16 1RS

PROPOSAL: Retrospective permission for erection of two (number) pellet burner flues on outbuilding
(This application may affect the setting of a listed building)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Retrospective application for two flues for pellet burners in an outbuilding to the south-west of the main dwelling.

RELEVANT SITE HISTORY

K/43/21/L	Retrospective permission for erection of two (number) pellet burner flues on outbuilding	ApproveConditionally 26-11-21
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REPRESENTATIONS

Parish Council - No objection
ADC Conservation Officer - No harm to the significance of the Heritage Asset.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Listed Building Grade II.
Outside 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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 3 of the Kingstone Neighbourhood Plan (KNP) Sets out the criteria for allowing development within the settlement gap which includes; development not undermining the physical or visual separation of the gap, would not stop recreational access along the coast or to the SDNP, would not endanger the biodiversity of the area and would not disrupt the tranquil setting.

DESIGN AND VISUAL AMENITY

This is a retrospective application for the installation of 2 new flues to an upgraded pellet burner, situated in an outbuilding within the curtilage of the building.

Works have already been undertaken to replace a single flue to the outbuilding and replace it with two other flues. The flue serves a modern or ecologically sensitive, pellet burner within a plant room. The plant room is tucked away behind the main dwelling behind a tall flint wall as such views of the plant room and flues are not possible from the front of the house or the street.

The new flues sit approximately 1.9m above the roof covering, the pre-existing flue sat 1.75m above the roof covering. This is considered to be a negligible difference and as such will not affect the spatial character of the area.

The flues are considered acceptable as they are constructed of materials which match those found on the pre-existing building, they have been improved as they will be coloured black and therefore not as reflective or visually intrusive as was the pre-existing flue.

The flues cannot be located elsewhere other than within the separation gap between dwellings, they will not undermine the visual separation between settlement gaps as it is located to an existing building, they will not compromise the gap nor stop recreational access to the national park or coast. They will not affect the biodiversity of the area or increase flooding. It is expected, being a modern pellet burner, that it will be quieter than the pre existing boiler and as such they will increase the tranquillity of the area in accordance with policy KPNP 3 of the KNP.

Having regard to the design and visual amenity, the proposal is deemed to accord with DDM1 and DDM4 of the Arun Local Plan and KPNP 3 of the KNP.

RESIDENTIAL AMENITY

Being a remote residential dwelling house, the addition of the new flues will not affect neighbouring properties by means of being overbearing or overshadowing in accordance with policy D DM4 of the Arun Local Plan.

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 Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION**APPROVE CONDITIONALLY**

- 1 The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan, 101 & 102.

Reason: For the avoidance of doubt and in the interests of the Listed Building in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 2 **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.