

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

REF NO: K/46/20/HH

LOCATION: 105 Golden Avenue
East Preston
BN16 1QT

PROPOSAL: First floor addition over existing single storey rear extension together with new pitched roof over existing rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

K/51/20/NMA	Non material amendment following grant of ref K/26/19/HH for the removal of ground floor extension and stone cladding to existing porch wall.	Approve 11-11-20
K/26/19/HH	Replacement of flat roof dormer roofs with pitched roofs. Front extension and new flat roof to garage	ApproveConditionally 25-11-19

REPRESENTATIONS

Parish Council - No objection.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 extension is projecting from the southern elevation of the host dwelling, and as such, there will be few views of the proposal from the public realm. As such, it will have a significantly reduced impact upon the character of the host dwelling, or its locality. Whilst the proposal will increase the bulk of the existing extension by giving it the second floor the design of the proposal is one which is sympathetic in nature with materials to match that of the existing dwellinghouse to allow for better cohesion. Golden Avenue does not have a set special pattern with a variety of designs clearly visible from the street scene and from the sea front to the rear. As such the proposal is considered to be acceptable without causing harm to the character of the area.

The proposed development is not considered to result in any significantly harmful impact upon the character of the host dwelling, or its wider locality, as such, it is considered to be in accordance with policies D DM1, D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the residential amenities of neighbouring dwellings, by way of overshadowing, or overbearing impact. This is due tot to the acceptable scale and separation distance of the proposal from neighbouring dwellings. It is sited approximately 2.1m from the its Northern boundary, which is shared with the dwelling to this aspect. This is considered ample distance by which to prevent any unacceptable overshadowing to the dwelling to this aspect due to the location of the neighbouring dwelling being located on the angle.

With regard to potential overlooking, the proposed development is not considered to give rise to any loss of privacy to neighbouring dwellings.

Whilst it is noted that the proposal features skylights which will be on the northern and southern roof slopes there are not considered to be any views of which harmfully affect the occupants of this neighbouring dwelling with the imposition of a suitable condition.

To the East, the boundary of the application site is over 20m away, which is considered to be a significant distance, and as such mitigate any potential for overlooking. To the north the proposed first floor window is proposed to be obscure glazed and fixed shut below 1.7m to avoid harmful overlooking into neighbouring property.

A further mitigating factor for the Juliette balcony is the use of the land to the rear being a public walkway along the seafront.

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

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 not CIL Liable.

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:
- Photograph of the Rear Elevation
 - Existing Floor Plans, Elevations and Roof Plan Dwg No.20/47/65/1
 - Location Plan, Block Plan, Proposed Floor Plans and Roof Plan Dwg No.20/4765/2
 - Proposed Elevations Dwg No.20/4765/3

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 velux window in the Northern roofslope of the building shall at all times be and remain glazed entirely with obscure glass and non opening to 1.7m above ground 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 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.