

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

REF NO: K/46/21/HH

LOCATION: 25 Golden Avenue
East Preston
BN16 1QY

PROPOSAL: Erection of single, part two storey rear extension with balcony and conversion of garage to habitable use following the demolition of existing rear conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	A part two-storey and part single-storey rear extension measuring approximately 4.3m in depth across the rear elevation of the property. At first floor a balcony is being introduced to the rear elevation.
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REPRESENTATIONS

Parish Council - No objection.
- Consideration be given to a condition to prevent overlooking from balcony.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
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)

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Policy KPNP 7 of the Kingston Neighbourhood Development Plan (KNP) 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 demolition of an existing conservatory is proposed with the erection of a part two-storey part single-storey rear extension. The ground floor footprint will measure approximately 4.3m in depth, extending across the rear of the property. The first floor will measure approximately 3.1m in depth extending into a balcony and be set back by 3.6m from the ground-floor southern elevation, placing it centrally within the plot. The existing western facing gable will be extended the full depth of the two-storey extension, with a new mono-pitched roof extending to cover the single storey addition.

The scale of the proposed rear extension is considered appropriate for its intended use and when compared against the large plot on which it sits. It is considered visually integrated as existing eaves lines will be maintained, existing materials will be utilised in the new additions and traditional design features (corbelling) will be seen in the proposal.

Due to the mature planting surrounding the site, the rear extension will not be visible from the street and will therefore not have an impact on the street scene.

The rear extension is considered to be subservient to the host dwelling and the spatial character of the area is thought to be uncompromised by the proposal.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan, Part M Arun Design Guide and policy KPNP 7 of KNP.

RESIDENTIAL AMENITY

The extension respects the spatial character of the plot in that it does not encroach on the separation gaps to side boundaries. It will retain a rear garden space above design guidance levels and complies with the 45-degree rule for rear extensions.

The site only bounds two neighbouring properties, one to the north and the other to the south. Due to the significant separation gaps between buildings, which is in the range of 6-7m the extension is considered not to be overbearing or overshadow the neighbouring properties.

In terms of overlooking, all proposed fenestration will be located to the western elevation and face the private rear amenity space and towards fields to the rear. There are two north-facing rooflights which serve two non-habitable rooms, these will be conditioned to be fixed shut and obscure glazed below 1.7m above finish floor level. The balcony is well screened to the north and south with 1.8m screens to be conditioned to have obscure glazing up to 1.7 metres from finished floor level so as to prevent any negative impacts from overlooking.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

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 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 plan;

- Location and Block Plan PL_105 Rev 02
- Proposed Elevations PL_501 Rev 08
- Proposed Floor Plans PL_200 Rev 07

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 The two rooflights within the northern roof plane hereby approved shall be non-opening and fully obscured windows up to 1.7m above finish floor level, prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with policy D DM4 (c) of the Arun Local Plan.

- 4 The north and south returns of the rear balcony hereby approved shall at all times be screened with an obscured barrier to a minimum height of 1.7m from the balconies finished floor level. The screening shall be retained in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with policy D DM4 (c) 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.