

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

REF NO: K/48/20/HH

LOCATION: Innisfree
Golden Acre
Kingston
BN16 1QP

PROPOSAL: Replacement of existing front dormer with 3No. pitched roof dormers. Construction of new porch. Demolition of existing rear extension, construction of new two storey rear extension. Construction of new dormers in existing rear roof slope. Construction of single storey side/ rear garage extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The rear two storey extension would be 6.81 metres wide , project out 6.17 metres and would be 6.80 metres in height as compared to the main roof height of 8.01 metres.
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REPRESENTATIONS

Kingston Parish Council - No objection

No other representations received from neighbouring properties.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXTDesignation applicable to site:
ADOPTED LOC PLN**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

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 three front roof dormers are set well within the plane of the roof and are considered an acceptable addition to the street scene. The new additional garage is just a single storey and is not considered to have a significant impact on the street scene. The two storey rear extension would be located to the rear of the building and would not have an impact on the street scene.

The extensions proposed are considered subservient to the existing building as they are smaller in size and scale than the existing building.

RESIDENTIAL AMENITY

The two storey extension to the rear has side facing dormer windows however they are well separated by a minimum of 10.43 metres from the neighbouring properties such that no adverse impact on amenities in terms of loss of privacy, loss of light or overbearing impact is considered to result. In addition the two storey rear extension does not project past the rear building lines of the two neighbouring properties such that the side facing dormers face the gable end of neighbouring properties. The closest property White Lodge is 10.4 metres to the gable end and it is a blank gable end. The other property Vilina Marina is 17 metres away from the proposed extension beyond a footpath which is considered an acceptable separation distance to protect amenity provided the facing window is conditioned to be obscure glazed and fixed shut below 1.7 metres. There are no other impacts on residential amenity.

SUMMARY

The proposed development is considered to concur with development plan policies and 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:

Proposed Plans, Elevations, Roof Plan and Site Block Plan dwg.no, 1272.02.b dated 22/09/2020

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 windows on the west elevation of the new rear extension building shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7 metres from the internal floor level.

Reason: To protect the amenities and privacy of the adjoining property 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.