

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

REF NO: K/49/21/HH

LOCATION: Flint Barn
Peak Lane
Kingston Gorse
East Preston
BN16 1RN

PROPOSAL: As built amendments to north dormer to increase height and alter materials, removal of southern first floor extension from scheme, new rooflight to eastern elevation in lieu of velux to southern elevation and new balcony screen to eastern elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application follows the previously approved applications K/6/20/HH and K/52/20/HH seeking to make changes to its built form. These are the removal of a small first floor extension from the southern elevation, alterations to the built height and material finish of the northern facing dormer and the addition of a balcony screen to a full length window, creating a juliette balcony.
----------------------------	--

RELEVANT SITE HISTORY

K/12/21/NMA	Non-material amendment following grant of K/52/20/HH to increase window (A)to 620mm x 120mm; window (B) single fixed pane instead of patio door; window (C) remove; window (D) reduce to 1710mm x 610mm & single fixed pane; front door (E) remove 1 single glazed side panel & will now consist of single door & single glazed side panel; window (F) reduce to 605mm x 970mm; window (G) reduce to 600mm x 1600mm; window (H) reduce to 600mm x 1600mm; window (I) increase to 1750mm x 1650mm; window (J) reduce to 1765mm x 1650mm; insert new velux roof window (K) 850mm x 1200mm; remove window (L); window (M) reduce to 1600mm x 1100mm and window (N) reduce to 750mm x 120mm	Approve 15-07-21
K/52/20/HH	Single storey front extension, first floor front/side extension, first floor rear extension and conversion of roofspace to habitable use to include a juliette balcony.	ApproveConditionally 27-01-21

K/6/20/HH

First floor rear extension, conversion of roofspace to habitable use. Part two storey part single storey front extension and demolition of existing conservatory and adjustments to flat roof dormer to north elevation on existing dormer to incorporate pitched roof.

ApproveConditionally
09-04-20

REPRESENTATIONS

Parish Council - No objection.

1 letter of objection

- Erroneous description filled into section 1 on the application form which includes works not proposed within the plans submitted.

OFFICERS COMMENTS ON OBJECTIONS:

This application relates to 'as built' alterations to the house only, the description has been altered to include the relevant works to the property only.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
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)

[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
-------	---

CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan,

as it is in accordance with D DM4 of this plan. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan (2011-2031) and KPNP7 of the Kingston Parish 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 C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4).

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 (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. 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.

DESIGN AND VISUAL AMENITY

Further to the scheme approved under K/52/20/HH and subsequent Non- Material Amendment K/12/21/NMA relating to the as built windows. This application seeks approval of the 'as built scheme' which includes alterations to, the overall height of north facing dormer, inclusion of a Juliette balcony to bedroom 3, omission of a first floor cantilevered extension and the removal of a Velux roof light with the insertion of another in an alternate location.

The host dwelling is sited in a cluster of 5 dwellings at the end of Peak Lane. The buildings are reasonably similar with regard to their materials, however, they vary with regard to their individual character, design and scale. The wider locality is distinctly rural in its appearance, in that to the East of Peak Lane there is a large agricultural field. The proposed development follows a previously approved application, and therefore only the differences between said application and this one will be considered.

The proposed alteration to the dormer height is considered to be an acceptable alteration, as the cat-slide roof is considered to allow the dormer to appear subservient to the host dwelling, and well integrated with its built form. The alteration to the materials does not compromise the visual integration. The dormer has been built approximately 350mm higher than the approved scheme, it is considered visually subservient and well integrated with the host dwelling.

The built amendments to the openings have already been approved under the NMA, the addition of a glass balustrade does not significantly impact the host dwelling and it is considered visually integrated.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan and policy KPNP 7 of KNP.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any significant harmful overbearing or overshadowing upon the occupiers of nearby dwellings. This is because the alterations are located a significant distance from nearby properties.

The rooflight proposed to the eastern elevation will look over the fields to the east, as such there are no additional negative impacts from overlooking from the proposal.

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:

- Existing & Proposed Block Plan - BBX - 1001 - 01
- Proposed Ground & 1st Floor Plan - BBX - 2002 - 04
- Proposed 2nd Floor & Roof Plan - BBX - 2003 - 03
- Proposed Elevations - BBX - 2004 - 03

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 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.