

Recommendation Report for Planning Permission

REF NO: K/4/20/PL

LOCATION: 14 Coastal Road  
Kingston  
BN16 1SJ

PROPOSAL: Provision of swimming pool and associated pool house.

**SITE AND SURROUNDINGS**

|                            |                                                                    |
|----------------------------|--------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | As above                                                           |
| BOUNDARY TREATMENT         | Fencing surrounds the rear garden of the property.                 |
| CHARACTER OF LOCALITY      | Residential with farmland to the north and the beach to the south. |

**RELEVANT SITE HISTORY**

|            |                                                               |                                  |
|------------|---------------------------------------------------------------|----------------------------------|
| K/29/17/PL | Demolition of existing dwelling to create 1 No. new dwelling. | ApproveConditionally<br>12-10-17 |
|------------|---------------------------------------------------------------|----------------------------------|

Relevant site history noted with the development being a new dwelling.

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Kingston Parish Council  
No objection.

No representation from nearby occupiers.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted.

**CONSULTATIONS**

Southern Water Planning

**CONSULTATION RESPONSES RECEIVED:**

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

## POLICY CONTEXT

Designation applicable to site:  
Within the Built Up Area Boundary

## DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

|       |                                          |
|-------|------------------------------------------|
| DDM1  | D DM1 Aspects of form and design quality |
| DSP1  | D SP1 Design                             |
| SDSP2 | SD SP2 Built-up Area Boundary            |

[Kingston Neighbourhood Plan 2014 Policy KPNP1](#)      The Presumption in Favour of Sustainable Development

Kingston Neighbourhood Plan 2014 Policy KPNP2      BUILT-UP AREA BOUNDARY

Kingston Neighbourhood Plan 2014 Policy KPNP7      DESIGN & DEVELOPMENT

## PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

## POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Policy 1,2 and 7 of the Kingston Neighbourhood Plan is relevant.

## DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality/the established character of the surrounding area.

## OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

## CONCLUSIONS

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. In addition to these policies 1,2 and 7 of the Kingston Local Plan are considered to be relevant.

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.

#### DESIGN AND VISUAL AMENITY

The development outlined in this application is for an outbuilding in the rear garden of 14 Coastal Road. The proposed outbuilding will be 2.96m at pitch height with an eaves height of 2.4m. The outbuilding is considered to be modest in scale with a depth of approximately 4.867m and a width of 7.971m.

The proposed outbuilding is sited to the rear of the host dwelling, and is therefore not visible from the street scene of Coastal Road. Therefore, the proposed outbuilding is not considered to have any significant impact upon the established spatial pattern, or character of the area, and is therefore in accordance with D DM1(1) of the Arun Local Plan.

#### NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant impact upon the residential amenities of neighbouring dwellings. This is due to the outbuilding being sited an acceptable distance from the neighbouring dwellings to remove any potential for significant overbearing or overshadowing impact. Additionally, as a result of the single storey nature of the outbuilding, it is not considered that the windows proposed will result in any views that are currently unavailable from the garden. Therefore, the proposal is considered to be in accordance with D DM1(3) of the Arun Local Plan.

Furthermore, the proposed pool house is located to the rear of the neighbouring garage. As such the impact on the neighbour at number 16 is considered to be reduced as the direct impact is on an outbuilding much greater in size. It is appreciated there may be more noise created from the addition of a pool in the rear garden however it is not considered to be a demonstrable level of increase.

#### SUMMARY

The proposed development is deemed to accord with the 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.

## 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:

- 1717 PL2-01
- 1717 PL2-02
- 1717 PL2-03 A
- 1714-PL2-04 A
- 1714-PL2-05 A
- 1714-PL2-06 A
- 1714-PL2-07 A
- 1714-PL2-08 A

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.