

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

REF NO: K/50/21/HH

LOCATION: Beachy House
Middle Way
Kingston Gorse
BN16 1RY

PROPOSAL: Erection of two storey side extension, first floor front and rear extension, detached garage with storage room and associated external works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks the demolition of existing garage, a two storey extension to the south-eastern elevation, a first floor front (south west) and rear (north east) and a new detached garage.

RELEVANT SITE HISTORY

K/17/09/	Proposed extension to existing garage containing games room	
K/32/08/	Proposed erection of single/two storey extensions to front, rear and side elevations following demolition of existing attached structures and alteration to existing external treatment.	ApproveConditionally 13-11-08
K/41/07/	Replacement dwelling	ApproveConditionally 14-02-08

REPRESENTATIONS

Parish Council - No Objection

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; the front extensions should not disrupt building lines, maintain and enhance frontages, be subservient to the host dwelling and respect the space between buildings, side extension should also be subservient to the host dwelling and respect the space between buildings and 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 existing dwelling is a good sized detached two-storey property, situated on a large plot surrounded by mature planting and 1.8m high fences. It has two neighbours, one to the north west and the other to the east, these are equally good sized two-storey properties on large plots. The proposal will not compromise the spatial character of the area as the proposal will maintain good separation gaps between boundaries.

The building currently consists of a brick skirt with weather board cladding to the upper parts of the dwelling with a tiled and flat roof. This proposal seeks to match the style of the existing and includes weatherboarding to the first floor with a rendered ground floor with a stone clad skirt beneath. It is proposed to introduce a slate roof to the design, other examples of slate roofs can be found in the immediate area. As it is proposed to renew all material finishes the alterations will visually integrate with the host dwelling.

The proposal includes large scale alterations to the front of the building which will be visible from the street scene. The proposal will retain and mimic subtle features of the existing dwelling, such as the existing ridge height and eaves height will be maintained and the scale of the existing gable will be replicated. Due to the large scale alterations the proposal will not be visually subservient to the existing dwelling, however, it is expected to provide a high level of amenity for the occupants and it is considered to be an attractive design. On balance it is not seen as a reason to refuse the application.

Amendments have been made to the application to protect the front building line of the properties on Middle Way. The proposed garage has been relocated further back (in a north easterly direction) from the front boundary and will now sit approximately 16m behind the boundary. This places it more in line with the neighbours garage at Newlands and maintains the spatial massing of the existing buildings on or adjacent to the site. This will also help protect the mature tree line to the front of site. The proposed driveway will be located approximately 10m back from the fence, the line of trees and away from the side boundary thereby allowing sufficient space for surface water run off to stay within the site.

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 the KNP.

RESIDENTIAL AMENITY

At ground floor level new fenestration is proposed to the front, rear and side (south eastern) elevations. To the first floor new fenestration is proposed to the front and rear elevations only. Rooflights to both the western and eastern elevations would be positioned at a high level. However, as exact position above finished floor levels is not given a condition controlling their opening will be included within the decision. It is considered that no views, which could give rise to unacceptable levels of overlooking, have been proposed.

The property is situated on a good size plot with good separation distances between the property, its boundaries and between dwellings. With the removal of the existing garage there will be more space created between the properties side elevation (south eastern) and its respective boundary. The proposed (retained) rear garden is acceptable (design guidance levels) and the proposed extensions do not encroach on the limits set by the 45-degree rule for rear extensions. It is considered that the proposed extension will not be overbearing or overshadow neighbouring properties.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (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 plans;

- Location and Block Plan 213034/10 Rev A
- Proposed Elevations 213034/07
- Proposed Ground Floor Plan 213034/05
- Proposed First Floor Plan 213034/04
- Proposed Roof Plan 213034/06
- Proposed Site Plan 213034/11 Rev A
- Proposed Perspectives 213034/08 Rev A
- Proposed Garage Plans and Elevations 213034/09

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 rooflights hereby approved to the eastern and western (side) elevations whose cill levels sit below 1.7m above finished floor level shall be fully obscure glazed and non-openable below that level, 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)

- 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.