

PLANNING APPLICATION REPORT

REF NO: K/19/19/HH

LOCATION: Little Tangley
Middle Way
Kingston Gorse
East Preston

PROPOSAL: Two storey rear extension with a small canopy projecting the footprint to the front. Demolition of existing living room and additional first floor for habitable use with alterations to fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to remodel the host dwelling, through various extensions and alterations. In that very minor portions of the existing dwelling are retained, the proposed development has the appearance of a replacement dwelling. This includes a front and rear two storey extension, and the addition of a full first floor.
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RELEVANT SITE HISTORY

K/28/15/CLP	Lawful development certificate for the proposed demolition of existing single storey rear extension & replace with larger rear extension & form rear facing box dormer to existing roof with two velux windows inserted in front facing roof.	PP Not Required 06-11-15
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council

Parish Council - Objection:

- The proposal is intrusive to neighbouring dwellings.
- The proposal will overshadow the neighbouring dwelling at 'Clova'.

East Preston & Kingston Preservation Society:

- The change from a bungalow to a two storey house would create overshadowing and overlooking of neighbouring dwellings.
- The proposal features a slate roof, which is not the predominant material in the area.

7 letters of objection:

- The proposed development would be overdevelopment of the site, in that the mass of the property would increase by approximately 200%.
- The proposed development would overlook and have a shadowing and unneighbourly impact on neighbouring properties.

1 letter of support:

- The proposed work is sympathetic in design, and is a visual improvement.

Support letter from agent:

- The proposal would not create overshadowing of the neighbouring properties.
- The ground floor side window does not overlook, given the height of the Eastern boundary, and the distance to it.
- The ridge height of the proposed house is in line with Clova, and is appropriate when compared to The Poynings.
- The relationship between the proposed development and its neighbours is no different to any normal house-to-house relationship.
- There are driveways between the host dwelling, and its neighbours, on both sides, which increase the distance between any windows, and the adjoining gardens.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within the 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)
DSP1	D SP1 Design
SDSP2	SD SP2 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

CONCLUSIONS

The key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan and policy 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.

RELEVANT SITE HISTORY

In 2015, a Certificate of Lawfulness (CLP) was approved, relating to the Permitted Development guidelines at the time. This CLP related to the demolition of the rear extension, and its replacement with a larger rear extension, the construction of a box dormer, and the addition of two front Velux windows.

DESIGN AND VISUAL AMENITY

The application seeks to remodel and modernise the host dwelling, by way of various extensions, and alterations.

The proposed development will result in a significant change to the existing dwelling. The extensions are not subservient or well-integrated with the existing dwelling, as a result of its scale, and the fact that two very small portions of the existing dwelling are retained. This is considered to cause the proposed development to be in conflict with D DM4(a & b) of the Arun Local Plan, due to the scale of the development and its impact on the host dwelling.

However, the locality is host to a wide variety of dwelling designs and types, and therefore has a mixed character. The scale of the proposal is considered to result in a dwelling comparable to those within the area, and responds well to the plot itself, in that the remaining garden size is reasonably comparable to those present within the locality, as is the approximate area covered by the proposed dwelling. The surrounding six dwellings have footprints (when compared to their respective plots) ranging from approximately 9.5% to 13.6% of their plot. The proposed dwelling has a site coverage of 12.2% of the plot.

The proposed materials are also in keeping with this mixed character in particularly with those present on the property The Poynings which is the adjacent dwelling to the east.

Therefore, whilst the proposed development is considered to conflict with D DM4(a & b) of the Arun Local Plan, it is considered to be in accordance with D DM4 (e) and D DM1(1) and (2) of the Arun Local Plan and not cause any significant harm to the character of the area.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development will not result in any significant impact on the residential amenities of neighbouring dwellings. This is due to the siting of the development with acceptable separation distances to the site boundaries which will avoid there being harmful overshadowing, or overbearing impacts.

Whilst the majority of the proposal has a similar footprint to the existing dwelling, the reconfiguration of the front extension, from a sunroom to a centrally-located two storey extension has moved the area of built form closest to the dwelling further North. The ridge height of the host dwelling increases from approximately 6m, to 9.3m. However, as a result of the design of the roof, the eaves height of the element of the development closest to the neighbouring dwelling is approximately 4.5m, which will not result in any significant loss of light to principal rooms of the adjacent dwelling to the West (Clova).

To the East, the closest element of the proposal is approximately 5.3m from the Western boundary of the

site, with a further 3.1m to the adjacent dwelling (The Poynings). This is an acceptable distance to mitigate any significant overbearing impact on this neighbouring dwelling, especially considering the intervening boundary treatment, and built form.

Regarding any potential for overlooking, there will be no significant change to what is already the case. It is noted that the existing building has a window on its Southern elevation that provides oblique views to the amenity area of Clova and Poynings. The only window that provides more direct views to neighbouring properties is a bathroom window proposed to the southern elevation of the dwelling where there would be direct views onto the private amenity space used by the residents of Clova. As such, a condition will be recommended which requires that window to be obscure glazed, and fixed to be non-opening below 1.7m from the internal floor level.

The proposed development is in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

On balance 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:

- Proposed Site Plan - 6702 - 6702 01 - 20/09/2018 - Rev. P2
- Existing and Proposed Floor Plans - 6702 - 6702 02 - 04.09.2018 - Rev. P2
- Proposed Context Elevations - North and South - 6702 - 6702 30 - 01.05.2019 - Rev. P1
- Proposed East and West Elevations - 6702 - 6702 21 - 21.09.2018 - Rev. P1
- Proposed Sections - 6702 - 6702 10 - 04.09.2018 - Rev. P2

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 bathroom window on the Southern elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening, below 1.7m from internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy 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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

K/19/19/HH - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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