

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

REF NO: BE/113/19/HH

LOCATION: 1 Homing Gardens
Bersted
PO22 9AJ

PROPOSAL: First floor extension & re-positioning of boundary wall. This application affects the character & appearance of the North Bersted Conservation Area. This application may affect the setting of a Listed Building

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bersted Parish Council
No objection.

Arun District Conservation Area Advisory Panel:

The property is a 1980's brick built, part single, part 2 storey construction making a negative contribution to the Conservation Area.

The informal layout of the buildings in the area and the space around the buildings reflects the rural nature of the set-ting and the agricultural origins of the area. The proposed extension by reason of its size and massing has a detrimental effect on the street scene and the setting of the adjacent listed buildings. This creates "harm" to the character and appearance of the Conservation Area and conflicts with the relevant parts of NPPF 2019, relevant legislation and the Arun District Local Plan 2018. The proposed loss of the soft landscaping at the rear of the property is regretted.

CONSULTATIONS

Conservation Officer
Listed Building Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

The site is located within the North Bersted Conservation area where the principal feature of the area is its country character which survives on the fringe of Bognor Regis. There is a general informality in the layout of the streets, and landscaping and boundary walling, including flint, are very important features of the area. Further, the area retains many fine examples of 16th, 17th and 18th Century farmhouses.

It would appear that the proposed alterations to the boundary walling would result in the loss of a leylandii hedge. Whilst it is unfortunate that there would be a loss of some greenery in this location, it will not unduly harm the character of the small road it is facing, or the local area.

In contrast, the first-floor alteration is problematic. At present, the existing building is considered to sit very close to the listed building and has an impact upon how it is seen/experienced. It already causes a level of harm that is unfortunate. However, the proposal will extend the first-floor area closer to the road, and therefore much more into the view of the listed building. Such an alteration will therefore be visually dominant and harmful to the setting of the listed building.

Conclusion

The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2018). As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

POLICY CONTEXT

Designation applicable to site:

Pagham Harbour Zone B

Within the Conservation Area

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
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas

[Bersted Neighbourhood Plan 2014 Policy ES1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are DDM1, DDM4, HER DM2 and HER DM3 of the Arun Local 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.

Bersted has a 'made' Neighbourhood Plan with policy ES1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposed extension is situated on the top of the of the property connecting to the existing first floor and is therefore highly visible from the street scene. The property neighbours a grade II listed cottage and is located within the North Bersted Conservation Area.

The proposed side extension measures 4.2m in width, 5.5m in length and is proposed to be built to a height of 6.5m with an eaves height of 4.75m to match that of the existing first floor. Within the locality there are a variety of single storey rear extensions. This extension is considered to be unacceptable due to the dominant nature and unacceptable design. It will dominate the existing dwelling and surrounding area as a result of its scale and design.

Due to the size and appearance the extension is considered to be harmful to the character and appearance of the wider area and is in conflict with policies D DM1 (1), (2), (14) & D DM4 (a) ,(b), & (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The neighbouring property to the east, is an attractive detached thatched cottage that is a grade II listed building. The extension in relation to the listed building is considered to have a significant impact on the character of the neighbouring property and the character of the area. With the proposal being approximately 5.75m from the neighbouring property this is acceptable regarding residential amenity.

HERITAGE

Heritage issues are considered at para 193-202 of the NPPF. The extension causes less than substantial harm however the absence of any public benefit the extension by reason of its size, position and design causes harm to designated heritage assets contrary to policies HER DM2 and HER DM3 of the Local Plan and the NPPF.

SUMMARY

The application is deemed to conflict with relevant development plan policies and is recommended for refusal for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The extension by virtue of its size, height and design would appear as an unduly dominant feature and would have an unacceptable adverse impact on the host building and the character and appearance of the Conservation Area and setting of the listed building in conflict with policies D DM1, D DM4, HER DM2 and HER DM3 of the Arun Local Plan and the NPPF.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.