

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

REF NO: BE/143/21/HH

LOCATION: 19 South Way
Bersted
PO21 5HB

PROPOSAL: Removal of existing three lean-to structures and erection of single storey side and rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to remove existing lean to structures and replace with a side and rear extension.
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RELEVANT SITE HISTORY

BE/115/21/HH	Loft conversion to form new 2nd floor with roof alterations to form gable end.	ApproveConditionally 13-09-21
BE/77/21/HH	Removal of 3 No existing lean-to structures & erection of single storey side & rear extensions, loft conversion to form new second floor with roof alterations to form gable end with rear dormer projection & detached outbuilding to be used as an annexe to the existing dwelling (resubmission following BE/37/21/HH).	Refused 08-07-21
BE/37/21/HH	Removal of 3 No existing lean-to structures, erection of single storey side & rear extension, loft conversion to form new 2nd floor with roof alterations to form gable end with rear dormer projection & detached outbuilding to be used as annexe to existing dwelling.	Refused 05-05-21

REPRESENTATIONS

Bersted Parish Council provided an objection

- Overdevelopment of the property.
- Not in keeping with the surrounding area.
- Unneighbourly.
- Contrary to Arun policy.
- The proposal would not provide sufficient parking for a 5 bed house.

34 letters of representation received, consisting of 30 objections from 22 nearby occupiers. 3 representations also received from the applicant in support of the proposal.

- It will add pressure to parking.
- It is out of keeping with the area.
- The application has been refused previously and has been broken into separate applications to get approved.
- There was no planning notice.
- The property will become a HMO.
- The size and proximity will block light.
- It is overdevelopment of the site.
- Drainage will struggle.
- A separate entrance forming an office will lead to a business use.
- The application has not changed from those previously refused for overdevelopment.
- Out of character with surrounding properties.
- Noise and disturbance to neighbours.
- The neighbouring dwelling is a bungalow and will be overshadowed.
- The house is likely to be HMO and there is not sufficient parking for this.
- No extra parking spaces provided.

Comments noted and addressed in the conclusion. The applicant confirmed the property is to be used as a family dwelling and not a HMO, although a 6 person HMO does not require a planning application. The planning notice was attached to the tree to the front of the property. Building Control deal with the developments proximity to drains.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

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
TSP1	T SP1 Transport and Development

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

The key policies considered are D DM1 and D DM4 of the Arun Local Plan, the Arun Design Guide.

Bersted has a made Neighbourhood Development Plan with policy ES1 being of relevance to this application.

SITE HISTORY.

There have been a number of applications at the site.

BE/37/21/HH was for a side and rear extension, rear dormer and annexe and was refused.

BE/77/21/HH was for the same works however the extension was reduced in depth by 1m and the height reduced by 45cm. This was also refused.

BE/115/21/HH was for rear dormer only and was approved.

This application seeks permission for the side and rear extension. Amended plans were submitted which reduce the size of the rear extension.

DESIGN AND VISUAL AMENITY

The extension is to the side and rear of the property. There is an existing wooden lean to which has been partly removed and a rear conservatory which has been removed.

The development originally sought a side and rear extension that wrapped about the dwelling. The amended plans remove part of the rear/side element and as such the size of side addition is likely to fall under permitted development. It will have a flat roof with a roof lantern and is constructed of materials to match the host dwelling ensuring it appears well integrated.

The surrounding properties are similar in appearance and there are examples of side extensions within the vicinity, similar to that proposed and it is not considered to appear out of character.

The rear extension is not visible from the wider area.

Section M, refers to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling. The bulk of the development is to the rear and not visible from the wider area and has been reduced in scale from previous submissions. The rear extension does exceed the suggested depth of an extension under Part M but given the lack of harm identified elsewhere this conflict would not support a reason for refusal.

The proposed development is not considered to result in harm upon the appearance of the street scene or wider area and accord with D DM1 and D DM4 of the Arun Local Plan, the Design Guide and ES1 of the NP.

RESIDENTIAL AMENITY

The side extension will have a width of 2.4m increasing to around 3m along the boundary. This will have a length of 7.45m meeting with the existing rear elevation of the dwelling. This is close to the boundary retaining around 0.3m although with a small wooden porch to the southern elevation which forms a

secondary entrance this is not considered to result in adverse overbearing. Due to the size and height a similar proposal would likely be permitted development (not requiring) and would not require the submission of an application.

The rear extension that is proposed will have a depth between 4-5.5m. It will have a flat roof to 2.85m with a roof lantern which increases to 3.3m. The deepest part of the extension will be to the northern side. This retains around 3.6m to the boundary and is considered sufficient to ensure no adverse impact upon the property at No.17.

To the south side the extension will have a depth of 4m. The property to the south side at No 21 has a part glazed conservatory to the rear and the extension is likely to result in some overbearing and overshadowing impact. However the depth of the extension has been designed to ensure it does not intersect a 45 degree angle to from the rear of the conservatory and as such the proposal is not considered to result in significant harm in which a refusal is justified.

An extension of 3m could be constructed under permitted development and will have a similar impact as a result of the glazed construction.

With the size of the extension having been reduced, this is considered to have overcome significant harm upon amenity and as such accords with D DM1 and D DM4 of the Arun Local Plan.

PARKING

Parking has been raised as an issue by residents. The property forms a 4 bed house and ADC parking standards for a 4 bed house in zone 2 suggests that there would need to be a minimum of 3 parking spaces. There is space for parking for around 2 cars to the front of the property and this is how the parking currently operates. It may result in the need for 1 car to be parked on the road to meet requirements. There are no on street restrictions with regards to parking and the dwelling provides parking provision similar to that of neighbouring dwellings. A ground floor bedroom has been removed due to the extension reducing in size and the addition of a rear extension is not considered to result in the number of vehicles at the property significantly increasing. in numbers. As such the proposal is not considered to result in a significant impact on parking in the area in accordance with TSP1 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 and informatives.

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
 - Proposed Plan - Sheet 1b
 - Proposed Plans - Sheet 2b

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 materials and finishes of the external walls of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies 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.