

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

REF NO: BE/29/18/HH

LOCATION: 330 Chichester Road
Bersted
PO21 5AU

PROPOSAL: First floor rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The extension is to be above the existing rear flat roofed kitchen extension. It will add a new 4th bedroom but with no net increase in the number of bedrooms as the existing 4th bedroom will be rearranged to include a wet room and lift access from downstairs. The extension will have a gable end roof with the ridge set about a metre below the main roof height. New rear facing bedroom window and blocking up of an existing ground floor flank secondary dining room window. Matching render and tiles with new hanging tiles on the gable end.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.8m close boarded fence to the side driveway with 2m high close boarded fence on the other side of the drive/on the boundary with 328. No boundary to the church.
SITE CHARACTERISTICS	Existing two storey detached dwelling owned and occupied as residential accommodation ancillary to the adjacent Holy Cross Church. White rough rendered with a tiled roof. Existing rear flat roofed kitchen extension.
CHARACTER OF LOCALITY	Predominantly residential but mixed in character. Flank wall of the church to the North. No. 328 to the south has 3 secondary flank windows and a rear conservatory extension.

RELEVANT SITE HISTORY

BE/119/85	Provide Vehicular Access Drive With Turning On Site	ApproveConditionally 14-10-85
BR/55/64/A	Garage	Approve 16-09-64

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

"No objection"

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary; and
Class A Road.

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
SD SP2	Built -Up Area Boundary

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

PLANNING POLICY GUIDANCE:

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 or the residential amenities of the adjoining properties, nor would it have an adverse impact upon 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

PRINCIPLE:

The site is located within the built up area boundary where the principle of new development is considered to be acceptable in principle subject to other policies in the development plan

Arun Local Plan Policy DEV19 states that:

"Planning permission will be granted for extensions to existing residential buildings, provided that:-

- (1) the extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (2) the extension is visually subservient to the main building;
- (3) the extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;
- (4) in streets characterised by relatively small gaps at first floor level between buildings, any extension at first floor level does not come to within a minimum of one metre of the side boundary;
- (5) the extension does not compromise the established spatial character and pattern of the street."

It is also necessary to consider the relevant policies of the Bersted Neighbourhood Plan. Firstly, policy ES1 which states that:

"New development which would have an effect on the appearance or character of the surrounding area should be of a high quality design and should contribute to local character by creating a sense of place appropriate to it's location."

CHARACTER, DESIGN & AMENITY:

It is not considered that the proposed extension would conflict with Arun Local Plan policy DEV19 as the proposed extension will be lower than the main ridge, thus subservient to the host dwelling. It will also visually integrate with the existing building through the use of matching materials. The addition of hanging tiles on the rear gable will be new but will not be visible in the streetscene and are not considered to be alien features in the local area.

There is not considered to be any impact on no. 328 due to the position of the extension to the northwest of the neighbouring property and due to the gap of around 8.5m between the neighbours conservatory and the new first floor extension. Furthermore, no windows are proposed in positions which might allow overlooking of neighbouring windows.

On the other side of the property adjacent to the position of the first floor extension (within 4m) is a church where the occasional occupiers do not benefit from residential amenity. It is also noted that the dwelling is owned by the Church and is intended to be occupied by an employee of the Church. The new first floor wet room will have no windows therefore no need for any conditions on obscure glazing.

It is therefore considered that the proposal complies with the relevant policies of the development plan

namely DEV19 and ES1.

PARKING:

There is no material increase in the number of bedrooms and there is also already considered to be sufficient off-street parking for the size of the dwelling.

RECOMMENDATION:

In the absence of any harm arising from the proposal, it is considered that the application should be approved 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:

Dwg. 10 "Location Plan";
Dwg. 9 "Site Plan";

Dwg. 3 "Proposed Ground Floor Plan";
Dwg. 4 "Proposed First floor Plan";
Dwg. 7 Rev A "Proposed Elevations";
Dwg. 8 "Proposed Section"; and
Dwg. 5 "Proposed Roof Plan".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The render and roof tiles of the external walls and roof of the extension hereby permitted shall match in colour and texture with those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.