

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

REF NO: BE/30/20/HH

LOCATION: 1 Homing Gardens
Bersted
West Sussex
PO22 9AJ

PROPOSAL: First floor extension & re-positioning of boundary wall (Re-submission of BE/113/19/HH). This application affects the setting of a listed building & affects the character & appearance of the North Bersted Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
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RELEVANT SITE HISTORY

BE/113/19/HH	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	Refused 28-01-20
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No response from Bersted Parish Council.

Conservation Area Advisory Panel:

Amended plans have had the advice of the Conservation Officer and reduced mass of the building to something less obtrusive to the Conservation Area as a whole. This is a sensitive area and a sensitive position within in the Conservation Area and it is regretted that cement boarding is to be used in the construction of the extension rather than tile hanging which would coherence to the area by echoing other modern building on the opposite corner. Should this extension be approved, consideration should be given to this rather than boarding.

No representation from nearby occupiers.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation officers comments:

- 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.
- Note plans indicate that stained softwood boarding is to be used, whilst the Design and Access Statement refers to Marley Cedar Boarding. Please can the correct material be confirmed?
- Would the cladding cover the entire of the first floor?
- Changes proposed to a window and a door are considered acceptable and will not cause harm.
- Whilst the existing building is considered to sit very close to the listed building and has an impact upon how it is seen/experienced, it is considered that the size of the proposed extension is now such that it will not cause any further harm to the listed buildings.
- Subject to the confirmation of the above, the proposal could be considered, on balance, to be acceptable. It is considered to not cause harm to the significance of the heritage assets/their setting.

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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4, 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 extension is on the top of the of the property connecting to the first floor and is highly visible in the street scene. It neighbours a grade II listed cottage in the North Bersted Conservation Area.

The side extension measures 4.2m in width, 2.75m 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. In the locality are a variety of single storey rear extensions. The proposed materials are stained wood which is considered to be complementary to the design of the current building and will not be detrimental to the conservation area, whilst tile hanging would mirror the adjacent property it is considered these wooden boards will not have a material impact on the conservation area. This extension is considered to be acceptable due to the sympathetic materials used and the scale and design of the proposal.

The re-positioning of the boundary wall is not considered to have any significant impact on the street scene, whilst losing hedging is unfortunate it is not reason for refusal. The proposed wall is considered in accordance with D DM1.

Due to the size and appearance the extension is not considered to be harmful to the character and appearance of the wider area and is in accordance 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 an 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. The new wall is not considered to have any detrimental impact on the neighbouring properties as it replaces an existing hedge.

HERITAGE

Heritage issues are considered at para 193-202 of the NPPF. The extension causes less than substantial harm. By reason of its size, position and design the extension is not considered to cause harm to designated heritage assets as such is in accordance with policies HER DM2 and HER DM3 of the Local Plan and the NPPF.

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 Act also needs to be considered which states;

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation Area.

SUMMARY

The application is deemed to be in accordance with the relevant development plan policies and 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.

CIL DETAILS

This application is not CIL Liable.

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:
 - Sheet 1A of 5 Location and Block Plan, Proposed Ground Floor Plan.
 - Sheet 2A of 5 Proposed Elevations and First Floor Plan
 - Sheet 3 of 5 Ground Floor Plan
 - Sheet 4A of 5 Proposed Roof Plan
 - Sheet 5 of 5 Repositioning of the boundary wall.
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 **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.