

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

REF NO: BE/37/21/HH

LOCATION: 19 South Way
Bersted
PO21 5HB

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

No response from Bersted Parish Council

23 letters of objections:

- Parking is not sufficient.
- The proposal will set a negative precedent.
- Overdevelopment of the site.
- Concerns over the use becoming a HMO.
- Loss of privacy to the neighbouring dwellings.
- Concerns over the drainage.
- Potential change of use to commercial.
- Public visual amenity impaired.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Pagham Harbour Zone B
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
TSP1	T SP1 Transport and Development

[Bersted Neighbourhood Plan 2014 Policy HDQ7](#) Attention to detail

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy HDQ7 of the Bersted Neighbourhood 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 HDQ7 of the Bersted Neighbourhood Plan outlines new development will have adequate onsite parking to meet current and future needs at a minimum rate of two spaces per dwelling unless alternative and accessible car parking arrangements can be made which do not add to on-street congestion. Developments which remove off road parking spaces will not be supported unless alternative provision is made which increases or maintains the number of parking spaces.

DESIGN AND VISUAL AMENITY

The dwelling is in an area of mixed character where there is a wide variety of dwelling styles, types and scales.

The large scale of the extension is not subservient to the dwelling. However, the extension is considered to be well integrated with the host dwelling as a result of its appropriate design and use of materials to match the host dwelling. The extension is considered to have a reduced impact on the street scene through the shape that is proposed with only 2.5m visible from the public realm.

The roof shape of the dwelling will be changed with hipped to gable ends and rear dormer. Whilst these changes result in a change in appearance of the host dwelling, they are not considered to result in a harmful impact upon the character of the area. This is as a result of the varied character of the dwellings in this area allowing there to be no uniform character. The development of the roofspace is not considered to result in a harmful impact upon the character of the host dwelling, as a result of the scale and design of the alterations. Elements of the roofspace extension may fall under permitted development.

The annex to the rear is single storey and as such is not considered to have a detrimental impact on the design and visual amenity of the proposal.

As a result of the factors mentioned above the development will not appear unduly dominant in the street scene.

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. This section explains extensions should not be over 50% it is considered that the scheme is acceptable due to the lack of adverse impact. Some of the extension may be achievable under permitted development.

Therefore, whilst the proposal is considered to conflict with D DM4(a) of the Arun Local Plan, it is considered to accord with D DM1 and D DM4(b & e) of the Arun Local Plan and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The development will have a significantly harmful impact on the residential amenities of neighbouring dwellings due to its excessive scale in such close proximity to the Southern and Northern boundaries of the site. It will have, as a result, an overbearing impact on the occupiers of the property directly to the North, #17 South Way a single storey bungalow.

The extension is at a flat roof height of 2.95m, which is approximately 0.95m above the height of the boundary treatment fencing between the site and 17 South Way at a distance of approximately 0.3m from the boundary line. At a length of 13.5m, this is considered to result in a significantly harmful overbearing impact upon the occupiers of 17 South Way as the roof will have a significant visual bulk when within 2m of the boundary. It is also considered that the extension will have an adverse impact on 21 South Way with 6m at 2.95m on that boundary.

The scheme then has a further, large, outbuilding in the rear garden which will be used as an annex. This adds to the overdevelopment of the site measuring 7.9m in depth and 8m in width this is a considerable outbuilding. With only 0.6m to the boundary and a height of 2.95m this is unneighbourly and adds to the overbearing impact on the neighbouring properties with substantial bulk the majority of the way along the boundaries. The building is large and would contribute to the overdevelopment of the site.

With regard to loss of privacy through overlooking, all of the proposed openings for the extension and outbuilding are at ground floor level, and therefore, do not provide any views different to those available from the application site at current. However the dormer and gable end will create additional views into the neighbouring properties.

PARKING

The proposal does not show the addition of any parking to the dwelling. There is space for one car to the front of the site which would appear to be retained. The road is a busy road which has a lot of cars parked on the street. This is heightened during school pick up and drop off when the road has no available parking. The parking standards for a 7 bedroom house in zone 2 suggests that there would need to be a minimum of 3 parking spaces available. As such the scheme is not considered to meet with the parking demands of the area in conflict with T SP1 and the Arun Parking Standards.

SUMMARY

The proposed development is considered to be in conflict with D DM1(3), D DM4(c) and TSP1 of the Arun Local Plan, due its detrimental impact on the occupiers of the dwelling to the North of the application site, by way of an overbearing, and overshadowing effect.

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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

REFUSE

- 1 The rear extension and annexe due to the height, length and siting and size are overdevelopment resulting in an unneighbourly and unacceptable overbearing effect on the occupiers of 17 and 21 South Way contrary to policies D DM1 and D DM4 of the Arun Local Plan.
- 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.