

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

REF NO: BE/51/21/HH

LOCATION: 59 Mansfield Road
Bersted
PO22 9HA

PROPOSAL: Removal of existing conservatory and erection of single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to remove an existing conservatory and replace with a single storey extension.
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REPRESENTATIONS

Bersted Parish Council provided no objection.

No representation received from nearby occupiers.

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

[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 are D DM1 and D DM4 of the Arun Local Plan.

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

DESIGN AND VISUAL AMENITY

The proposal is to the rear of the property and will not be visible from the street scene.

There is a conservatory with a depth of 3m which will be removed and replaced with an extension 4.8m in depth. It will have a flat roof, meeting with the eaves of the host dwelling which is a bungalow.

The extension appear subservient and well integrated with materials to match the host dwelling.

The Arun Design Guide was recently adopted and seeks to raise design in the district. The proposal The guide states ' the scale, massing and positioning of extensions should be visually subservient to the existing property'. The proposal complies with this and the design responds to and complements the existing character and appearance of the dwelling.

Due to its nature, being single storey and to the rear of the property, with no viewpoints from the wider area, the proposal will not harm the appearance of the street scene or wider area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension will have a depth of 4.8m and is modest in height at 2.7m.

The Council uses a 45 degree rule to assess serious effects on neighbouring properties. The proposed development due to its siting, intersects a 45 degree angle when drawn from the centre of the ground floor rear window at the neighbouring property at No.61. However, an extension could be constructed up to this depth under prior approval with no objections from the neighbours and with no representation received, the development is considered acceptable.

It is noted the existing conservatory breaches this also and with boundary treatment in place which could be up to 2m in height, the extension is not considered significantly harmful to the amenity of the adjoining occupiers to the north.

There is sufficient separation retained to the property to the south, as not to give rise to harm upon amenity.

The proposal complies with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development accords with relevant development plan policies and such is recommended for approval subject to accordance with 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
- Location, Block, Proposed Floor and Elevation Plan - Sheet 1 of 1
- Proposed Roof Plan - Sheet 2 of 2

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.