

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

REF NO: BE/5/22/HH

LOCATION: 2 Old Moat Close
Bersted
PO22 9UP

PROPOSAL: Retention of a rear orangery. This application may affect the character and appearance of the Shripney Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the retention of a rear orangery.
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REPRESENTATIONS

Bersted Parish Council - No Objection

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Outside Built Up Area Boundary
Conservation Area
Archaeological Notification Area
CIL Charging Zone 3

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
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
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Bersted Neighbourhood Plan 2014 Policy ES5	Building design
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1, D DM4 and HER DM3 of the Arun Local Plan. Part M and criteria outlined in the Arun Design Guide is also considered.

Bersted has a 'made' Neighbourhood Development Plan, of which policies ES1 and ES5 are relevant. Policy ES1 is concerned with the design of new development and 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 its location. Policy ES5 states that the design of new buildings should contribute positively to the historic character, and Conservation Areas and their settings should be conserved and enhanced to reinforce the quality and character of Bersted.

DESIGN AND VISUAL AMENITY

The orangery is situated to the rear of the property, of which is a two storey detached property, and is visible from the street scene.

The orangery is a modest size, with a width of 5.5m and depth of 3m. It has a flat roof, with a glass roof lantern, which although differing to the pitched roof of the host, does not appear unduly out of place with the character of the property. It has no adverse impact on the visual appearance of the property and is sympathetic in design to the existing. The property itself is situated in a small residential close, comprised of a few properties, all of which detached and of varied design and style. Being to the rear, the orangery is not visible from within this close, and has no impact on the visual appearance or composition of the property, or its locality. It is however visible from the street scene to the rear, but this visibility is restricted by a brick and flint wall which runs along the boundary. As a result, the orangery does not unacceptably intrude on this street scene and has minimal impact on the character and appearance of the area.

The proposal appears subservient to the design of the host and is well integrated. It will use materials matching that of the existing where possible. This is acceptable and helps ensure there is minimal intrusion on visual amenity. The orangery preserves the character and appearance of both the property, and the conservation area, and is in accord with the Neighbourhood Plan.

Part M of the Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. The orangery is well integrated with the existing and does not intrude on visual amenity. It retains a sufficient amount of garden space and is in keeping with the character of the area. This is in accord with Part M.

The orangery has minimal impact on visual amenity, and the character of the area, and is in accord with D DM1 and D DM4 of the Arun Local Plan, the Neighbourhood Plan, and Part M of the Arun Design Guide.

RESIDENTIAL AMENITY

The development is single storey and has a flat roof measuring approximately 2.4m high. This roof incorporates a glass roof lantern, which protrudes above at a height of 3m, and spans much of the roof area. This lantern poses no risk of adverse harm to residential amenity, considering its scale and location, and is acceptable. The orangery itself retains approximately 5.43m from the east, 6.54m from the north, and 0.8m from the west boundaries. The west boundary is the only boundary shared with a

neighbouring property, and as such is the only property at risk of any impact posed by the development. D DM4 of the Local Plan and Arun Design Guide recommends that extensions keep at least 1m from neighbouring boundaries, of which the development does not comply with. However, given the staggered nature of the properties positionings within the close, the orangery does not unduly overbear or overshadow No.1 to the west, despite its distance from the boundary, and is considered acceptable, having little harm on residential amenity.

In addition to the roof lantern, the orangery features windows and a set of French doors to the north (rear) elevation, windows to the west, and windows to the east. The features to the east and north elevations do not face towards any neighbouring properties, and as such have no harm on neighbouring privacy or amenity. The windows to the west face towards No.1 and pose a risk of overlooking. Although facing this neighbouring property, the windows themselves are situated high up on the elevation and cannot be easily looked through. As such, they provide limited visibility of No.1 from within the orangery, and are acceptable, having little harm on residential privacy and amenity.

Part M of the Arun Design Guide states that extensions should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The development does not unacceptably overlook, overbear, or overshadow neighbouring properties, and exhibits no features that pose adverse harm to residential amenity. It is in accord with Part M.

The development results in no adverse harm to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Part M of the Arun Design Guide.

CONSERVATION AND HERITAGE ASSETS

The site falls within the Shripney Conservation Area.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage assets in this case are of some significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The proposal has no adverse impact on the significance of the heritage assets and is an acceptable development. It is a modest size, and is well integrated with the host dwelling, posing little harm on the visual appearance and character of the property. It appears subservient to the design of the host and uses materials matching that of the existing. Being to the rear, it has little impact on the principal elevation of the dwelling and does not disrupt the established building line of the property. The orangery can be seen from the street scene to the rear of the property, but visibility is restricted by a high brick and flint wall which runs along the boundary. As such, the development has little intrusion on the composition of the street scene and does not appear out of character with the appearance of the Conservation Area, preserving the historic assets of the area.

The development causes no harm to the significance of the asset and preserves the appearance of the Conservation Area in accordance with HER DM3 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the 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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location and Block Plan
- Proposed Floor Plan
- Proposed Rear Elevation
- Proposed Left Elevation
- Proposed Right Elevation

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.

- 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 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.