

**Recommendation Report for Planning Permission for Works or Extension to a Dwelling****REF NO:** BE/61/14/HH**LOCATION:** 99 North Bersted Street  
Bognor Regis**PROPOSAL:** Two storey extension forming kitchen/dining room, lounge, orangery & bedroom with en-suite in the roof. Existing dwelling to be converted forming two extra bedrooms with en-suite, ridge level to be lower than the existing thatched ridge. This application affects the character and appearance of North Bersted Conservation Area**SITE AND SURROUNDINGS**

|                                       |                                                                                                                                                                                                                   |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | The proposed extension measures approximately 13.5m width, depth of 9.5m with a maximum height of 5.4m.                                                                                                           |
| SITE AREA                             | Approximately 0.16 hectare.                                                                                                                                                                                       |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                                                                               |
| TOPOGRAPHY                            | Predominantly flat                                                                                                                                                                                                |
| TREES                                 | None affected by the proposed development.                                                                                                                                                                        |
| BOUNDARY TREATMENT                    | The site is well screened on all sides by hedging/tree screening over 3m in height.                                                                                                                               |
| SITE CHARACTERISTICS                  | The property is accessed via a track off North Bersted Street between Nos 97 and 101. Single storey thatched property with flint, brick and tile hanging. Outbuilding to front eastern side with detached garage. |
| CHARACTER OF LOCALITY                 | Within the North Bersted Conservation Area. Residential comprising a mixture of terraced, detached and semi-detached properties, some are thatch and of notable design.                                           |

**RELEVANT SITE HISTORY**

|           |                                                                     |                                    |
|-----------|---------------------------------------------------------------------|------------------------------------|
| BE/78/03/ | Building timber pergola onto two brick piers and low retaining wall | Approve<br>09-10-2003              |
| BE/94/10/ | Erection of a polytunnel for growing vegetables.                    | ApproveConditionally<br>22-10-2010 |
| BE/20/71  | Alterations and additions                                           | ApproveConditionally               |

21-07-1971

## REPRESENTATIONS

### Representations received:

Bersted Parish Council

No objection.

### Comments on Representations received:

None.

## CONSULTATIONS

Conservation Officer

### Consultations responses received:

Historic Buildings Adviser

This building appears to be on the South Bersted Tithe Award Map, dated 1842. Unfortunately this map doesn't differentiate between the occupied and ancillary buildings, so it isn't possible to say what their functions were, but the apportionment calls all of 884 'Homestead' and 885 (the subject site) 'Croft behind house'.

On the basis that the date of the tithe map corresponds strongly with the 1840 date given for listing of 'historical interest', the authority should recognize the building as a 'non-designated heritage asset' in accordance with the intentions of the NPPF. This does not necessarily mean that the building would be listed because this will depend on the amount of special interest retained. Also, it is noted that the external walls appear to have experienced some later reconstruction.

The decision by the authority to treat a building as a non-designated 'heritage asset' is not arbitrary, but requires a range of values to be considered which include age, history, design, building type (ie.industrial/agricultural), aesthetic quality, local character or distinctiveness and potential associations with other heritage assets, be they visual or historic. These values contribute to local identity and distinctiveness and to our sense of place. Given its scale and character and potential historic interest as a retained croft, the building would appear to correspond strongly with the required values.

As with designated heritage assets, the same tests for change and alteration apply in terms of the whether the special interest and character of a building is being preserved. Failure to protect a building's significance not only results in harm to the integrity of this built environment but is also contrary to the delivery of sustainability as required by the Framework.

Given the scale and character of the thatched cottage and its potential historic interest as a croft, the proposed addition must be considered harmful due to its scale, form and design. It does not respect the existing building and is certainly not subservient to it. The footprint appears at least the same size, if not larger, whilst the new roof encroaches onto the cottage in a manner that is not sympathetic. The complexity of the new building is also problematic.

On this basis and for the reasons above, the proposal cannot be supported.

Conservation Officer

The property is an attractive structure that research has been identified as being present on the Tithe map (1842). As a consequence, it is of an age that warrants consideration for designation as a statutorily listed building. Whilst not currently listed, great weight should be given to its preservation. Therefore, for this application, it should be treated as a non-designated Heritage Asset for the purposes of planning policy as identified in the NPPF.

Heritage Assets are defined in the National Planning Policy Framework as:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)".

It should be noted that the same tests for change and alteration apply to both designated and non-designated heritage assets in terms of whether the special interest and character is being preserved. Consequently, the authority should have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest it possesses.

As the property is located within a conservation area, it also has the duty to ensure that any works preserve or enhance the character or appearance of the area.

Failure to conserve a building's significance not only harms its integrity, but is also contrary to the delivery of sustainable development as identified in the NPPF.

Extensions can significantly affect the character, appearance and setting of a property. Heritage Assets can sometimes be extended, provided that the addition is sympathetic in design and materials and respect is shown towards the proportions of the original building (Generally, extensions should be smaller than the existing dwellings).

However, given the potential historical importance, scale, character and age of the property, the proposal is considered extremely problematic. The proposed extension is a substantial structure (it reads as if doubling the size of the cottage) which is considered to both overwhelm the existing property and damage its original character. It therefore is not subservient to the existing property.

Every building has a finite capacity for extension; that is to say that some buildings cannot accommodate an extension due to their particular architectural design, simple vernacular form or their location. It is considered that this property, due to its contained, small scale nature, with a substantial, attractive thatched roof, is one such example.

The extension would also result in a new opening to link the existing property to the extension, and the loss of historic fabric.

Further, the complexity of the extension is also problematic, for example as witnessed in the means by which the front entrance door and porch are treated.

Furthermore, the Conservation Area Statement notes "One of the main objectives of designation is to ensure that the street retains its identity and that all development adjacent to the Conservation Area or within it, relates in form and scale to the existing buildings". It is

considered that the proposal fails to achieve this.

The NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It states that: 'the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'. This will normally involve an assessment of the property, the proposal and the perceived impacts. This application fails to provide this analysis.

It is therefore considered that the proposal does not:

- show an understanding of the heritage significance of the building and its setting
- seek to minimise any harm to the locally listed building's significance
- appear to be a subservient structure

The National Planning Policy Framework (NPPF) which provides a presumption in favour of sustainable development, states that one of the core principles that underpin decision-taking is that planning should conserve heritage assets in a manner appropriate to their significance, for current and future generations. Some heritage assets present bigger challenges for adding extensions than others because of their sensitivity to change. This property is considered to be very sensitive to any substantial change, such as that proposed. Consequently, it is considered that an extension should be objected.

Conservation Area Advisory Committee  
Dominates existing building in scale and design.

**Comments on Consultation responses:**

Comments noted and agreed.

**POLICY CONTEXT**

Designation applicable to site:

Built Up Area Boundary  
Within Conservation Area

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003: [AREA2](#)  
[DEV19](#)  
[GEN2](#)  
[GEN7](#)

[Publication Version of the Local Plan -  
Excluding the Spatial Portrait, Employment,  
Housing Allocations, Transport, Monitoring and  
Implementation sections \(February 2014\):](#)

Conservation Areas  
Extensions to existing residential buildings  
Built-up Area Boundary  
The Form of New Development

D DM1 Aspects of Form and Quality  
D SP1 Design  
HER DM3 Conservation Areas  
HER SP1 The Historic Environment  
SD SP2 Built -Up Area Boundary

**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity, character and appearance of the Conservation Area.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters/policies have been published.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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 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). "

#### **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 conflict with relevant Development Plan policies in that it would be an unsympathetic addition to the building which would not be visually subservient and would harm the character and appearance of the Conservation 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**

The application seeks to construct a two storey extension with internal alterations to the existing dwelling.

The detached single storey thatched roof property is accessed via a track off North Bersted Street between Nos 97 and 101. The dwelling is sited in the south west corner of the site to the north of No 95 and is well screened on all sides. It has previously been extended with a flat roof extension on the rear southern side. There is no accommodation within the roof space and the proposed two storey link extension will be sited on the northern side of the dwelling and will be no higher than the existing thatched roof of the dwelling. The front elevation will have a pitched roof dormer and there are two pitched roof dormers on the rear with patio doors. The elevations of brick, flint and wooden boarding will replicate the existing elevations and the roof will be of plain tiles.

Given the historic interest of the building which appears on the 1842 Tithe Award Map as a croft the extension would double the size of the existing dwelling. By reason of its design, rear projection, excessive mass and bulk it would fail to sympathetically relate to the host dwelling and would appear as a harmful addition at odds with the scale of the existing building.

The National Planning Policy Framework Paragraph 56 indicates that there should be a presumption in favour of sustainable development, but confirms that good design is a key aspect of sustainable development and that development of poor design, which fails to take the opportunities available for improving the character and quality of the area, should be refused.

Taking this into account the proposal would not preserve or enhance the character and appearance of the Conservation Area and it is therefore recommended that the application be refused for the following reason.

#### **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 (insert number and description), 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 a neutral impact has 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).

#### **RECOMMENDATION**

##### **REFUSE**

- 1 The proposed extension by reason of its design, bulk and excessive projection would result in an unsympathetic addition that would not respect the historic interest of the building and would not be visually subservient. The proposal is therefore contrary to policies GEN7, DEV19, AREA2 of the Arun District Local Plan and the National Planning Policy Framework Paragraph 56.
- 2 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.