

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

REF NO: BE/63/20/HH

LOCATION: 414 Chichester Road
Bersted
PO21 5DR

PROPOSAL: Conversion of garage to one bed annex with single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BE/104/18/HH	Loft conversion with new gable & dormer to rear.	ApproveConditionally 20-11-18
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REPRESENTATIONS

Bersted Parish Council:
No Objection

One letter of objection on the following grounds:

- Overshadowing on the neighbours garden
- Concerns over damage to the avenue from work vehicles and maintenance of shared boundary

The concerns outlined will be addressed in the conclusions section below. Issues surrounding wear and tear to avenue and maintenance of shared boundary are not material planning considerations.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Pagham Harbour Zone B
Within the Built Up Area Boundary
CIL Charging Zone 4

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
SDSP2	SD SP2 Built-up Area Boundary
QESP1	QE SP1 Quality of the Environment

[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 site is in the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally, policy ES1 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 ES1 outlines 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 it's location.

DESIGN AND VISUAL AMENITY

The development is sited in the rear garden of the host dwelling, and as such will not be visible from the street scene.

The annex extension measures 4.1m in depth by 2.3m in width, as such, it has a footprint of approximately 38m², when including the conversion of the existing garage, which is considered to be subservient to the host dwelling. However, in that the proposed materials are to match the adjacent studio, and the proposal will not be visible other than when within the rear garden of the host dwelling, it is considered to be sympathetic to its character.

The application is considered to be in accordance with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY & PARKING

The development is not considered to result in any significantly harmful impact upon the occupiers of neighbouring dwellings by way of overshadowing or overbearing impact. This is due to the scale and the siting of the proposed annex. The addition of the flat roofed extension to the garage is not considered to cause any overshadowing to the neighbouring property as it will have a height of 2.65m.

The site benefits from a large private amenity area, which would be shared between the host dwelling, and the occupants of the annex. The annex is considered to provide an adequate living environment for the future occupants of the site.

The site plan associated with the application shows the proposal would meet the parking demand

generated by the application, of three spaces. These spaces are accessible through the use of the dropped curb to the side of the site and there is ample space for parking to the front of 414 Chichester Road.

Accordingly, the proposal is considered to comply with D DM1 & QE SP1 of the Arun District Local Plan, and meet the demands of the Arun District Council Parking Standards SPD.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

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 Plan
- Proposed Elevations
- Proposed Ground Floor Plan

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 414 Chichester Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 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.