

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

REF NO: BE/66/20/HH

LOCATION: 42 Addison Way
Bersted
PO22 9HY

PROPOSAL: Demolition of conservatory and outbuilding and new rear single story extension and outbuilding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish a rear conservatory and replace with a single storey extension. There is also an existing detached garage with a store to the rear which will be replaced and enlarged in size.

RELEVANT SITE HISTORY

BE/5/12/	Single story front porch extension	ApproveConditionally 02-03-12
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REPRESENTATIONS

Bersted Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS**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)
WDM2	W DM2 Flood Risk

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. Bersted has a Neighbourhood Plan with policy ES1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The development is situated to the rear of the property and as such will not be visible from the wider area.

An extension will be sited to the rear elevation in replacement of an existing conservatory. The single storey extension is considered subservient to the host dwelling with materials to match existing.

The property has a detached garage which adjoins a neighbouring garage to the east of the dwelling. To the rear of this there is a store and this will be replaced, however again is not visible from the street.

Due to the siting of the proposal which is unlikely to be visible from the wider area, it is not considered to result in adverse impact upon the spatial pattern or character of the street scene in accordance with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The conservatory has a height of 3.3m and a depth of 3.65m. This will be replaced with a single storey extension, with the depth increasing to 4.15m. The height will also increase to 3.7m with a gable roof and will run the full rear elevation retaining only 0.16m to the eastern boundary.

The Council uses a 45 degree rule to assess serious effects on neighbouring properties daylight, sunlight and overbearing impacts. The proposed extension is considered to intersect a 45 degree line drawn from the centre of the neighbouring ground floor window closest to the boundary at No.43. However the existing conservatory already intersects this and the increase in height and depth is not considered to result in a significant impact compared to that which is already achieved.

There will be 2 windows to the eastern boundary although these will be high level and therefore are not considered to give rise to overlooking upon the neighbouring property at No 43.

The windows and doors to the rear and side are not considered to provide views additional to that already achievable. There are no neighbouring properties to the western elevation.

There will also be an alteration to the store situated to the rear of the existing garage. This currently runs along part of the rear boundary however it will increase in depth by around 3m and as a result will extend along the full rear boundary of the host dwelling. It will have a height of 2.6m and is around 0.3m higher than the existing garage.

Due to the siting of the store to the rear, it is not considered to result in an overbearing impact upon amenity. The store will run along the boundary with No.44 however with fencing and hedging above, it is not considered to result in harm upon amenity.

The development is not deemed to give rise to significant harm upon amenity by way of overbearing, overshadowing or overlooking and as such accord with D DM1 and D DM4 of the Arun Local Plan.

FLOOD RISK

The property falls within Flood Zone 2 which is at medium probability of flooding. A FRA has been submitted which provides details of how the proposed development will incorporate flood resilient measures. This is considered acceptable and will be included as a condition.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies 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.

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 Floor Plan - LL004
- Block Plan - LL1bp
- Proposed Elevations - LL005 b
- Proposed Elevations - LL003 b
- Flood Risk Assessment - LL01/FRA/20

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.