

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

REF NO: BE/70/21/HH

LOCATION: 400 Chichester Road
Bersted
PO21 5DR

PROPOSAL: Erection of first floor side extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a first floor side extension above an existing garage.

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan.

Bersted has a made Neighbourhood Plan with policy ES1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The proposal will be to the north western side of the dwelling.

The dwelling is semi-detached with an attached single storey garage. The first floor will be constructed above the garage running, along the side of the dwelling, meeting with the rear first floor elevation.

The surrounding properties are mixed in design and there are examples of similar first floor extensions and as such the development will not result in the property appearing out of character with the area.

The addition will have a hipped roof, which is common within the street scene, sitting just below that of the ridge height.

The addition is located up to the side boundary however it does not appear unduly dominant. The proposal will come within 1m of the boundary which does conflict with D DM4 (d) however due to the siting of the property, at a slight angle and with around 2.5m retained between the neighbouring property and boundary fence, it does not give rise to a terracing effect. 15m is retained between the dwelling and front boundary.

Materials will match that of the host dwelling, which helps to ensure it appears well integrated.

Arun recently adopted a Design Guide which seeks to raise design in the district. The proposal conflicts with this in such that it does not retain a 1m gap to the boundary however it is not considered to result in a terracing effect, with separation retained at the neighbouring side. The scale and massing is appropriate.

The development is deemed to accord with D DM1 and D DM4 (a) (b) and (e) of the Arun Local Plan and will not harm the appearance of the street scene.

RESIDENTIAL AMENITY

The addition extends up to the boundary at the north west, however there is separation retained at the neighbouring side and with no side windows to the neighbouring property or host dwelling, it is not considered to result in an overbearing or overshadowing impact. The addition will not extend beyond the rear of the neighbouring property.

There will be an additional window to the front and rear. The front facing window will have views over the street scene. The rear facing window will have views over the gardens of the dwelling and neighbouring dwelling. It is however not considered that the window will give rise to adverse views which are additional to that which are already achieved. The window serves a bathroom and is likely to be obscured however this will be conditioned to ensure that there are no unacceptable views over the neighbouring amenity.

Due to the siting and design of the development, it is not considered to result in harm upon neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 (c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply with 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.

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 and Block Plan - 01
 - Proposed Floor Plan - 05
 - Proposed Elevation Plan - 06

 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 first floor window on the rear elevation of the extension shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.
- 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.