

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

REF NO: BE/7/22/HH

LOCATION: Dove Cottage
76 North Bersted Street
Bersted
PO22 9AQ

PROPOSAL: Erection of single storey rear conservatory. This application may affect the character and appearance of the North Bersted Conservation Area and affect the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey rear conservatory.

RELEVANT SITE HISTORY

BE/192/88	Conversion of existing garage/ store to granny flat	Refused 17-10-88
BE/73/19/PL	Conversion of the Annexe to a separate unit of accommodation (Studio).	ApproveConditionally 05-12-19
BE/26/91	Conversion of existing flat roof garage to a pitched roof	ApproveConditionally 08-07-91

REPRESENTATIONS

Bersted Parish Council - No Objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Tree Officer - No response

POLICY CONTEXT

Built Up Area Boundary
TPO
Conservation Area
Grade II Listed Building
Pagham Harbour Zone B
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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

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 considered are D DM1, D DM4, HER DM1, HER DM3 and HER SP1 of the Arun Local Plan. Part M and additional guidance outlined in the Arun Design Guide is also considered.

Bersted has a 'made' Neighbourhood Development Plan, of which policy ES1 is relevant. This policy is concerned with the design of development and states that 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.

DESIGN AND VISUAL AMENITY

The proposal will be to the rear of the property, of which is a two storey detached dwelling, and as such will not be visible from the wider area.

The conservatory will be relatively small in size, measuring 4.3m wide and 2.7m deep. It will have a hipped roof, similar to that of the host dwelling, and will reflect design aspects exhibited on the existing. As a result, there will be minimal impact on the visual appearance and character of the property, and the development will not look unduly out of place. The dwelling is in an area comprised mainly of detached properties, all of various traditional design and styles. Being to the rear, the proposal will retain no distance to the front boundary, and will not be visible from the street scene. It will have no impact on the composition or appearance of the street, and is considered to be in keeping with the general character of

the area.

The proposal is subservient to the design of the host, and is well integrated. It will use materials matching that of the existing where possible, helping to ensure there is minimal harm to the visual amenity of the property. Given its heritage status, and situation within a conservation area, the use of sympathetic materials which compliment the existing is of high importance. The conservatory preserves the character of the property, and the locality, in accord with ES1 of 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 proposal is small scale, and poses no risk of intrusion upon the character or appearance of the property. It is well integrated with the design of the host, and will have no adverse harm on visual amenity. This is in accord with Part M.

The development will not result in adverse harm to the visual amenity of the property, nor the character of the area, and is in accord with D DM1, D DM4 of the Arun Local Plan, Part M of the Design Guide, and the Neighbourhood Plan.

RESIDENTIAL AMENITY

The conservatory will be single storey, with a hipped roof at a height of 3.1m and 2.04m at the eaves. It will retain a distance of 3.4m to the east, 8.31m to the south, and 8.4m to the west boundaries, and is not considered to pose harm to residential amenity. The proposal is a significant distance from any neighbouring properties, especially those closest to the east and west, and will have limited visibility due to the high walls that surround the boundary of the dwelling. Given this, and it's modest scale, the conservatory will result in no overbearing or overshadowing, and is therefore acceptable. This is in accord with D DM4 of the Arun Local Plan.

The proposal will feature windows to the east and south elevations, and a door and two windows to the west. These features are considered acceptable and are of minimal harm to residential amenity, given they are on the ground floor and have restricted visibility due to the boundary treatment. They will not directly overlook any neighbouring properties, and pose little risk of negative impact to neighbouring privacy or 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 proposal features a number of windows, none of which pose adverse impact on residential amenity. The conservatory is respectful to the privacy of neighbouring properties, and is in accord with Part M.

The development will not result in adverse overlooking, overbearing or overshadowing, and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Part M of the Design Guide.

HERITAGE AND CONSERVATION

The property is a grade II listed building. As such, the proposed works should aim to conserve and contribute to the buildings heritage assets. Whilst the Conservation Officer was not formally consulted on this application, he did submit comments on the proposal as part of the Listed Building Consent application. These comments are considered below.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The building is a C.19 cottage, although thought to date back to 1762. It is faced with flints with red brick dressings and quoins, has a hipped thatched roof with pentice to north east, and

timber casement windows of two different designs. It is considered to be of architectural and historical significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The proposal is for the erection of single storey rear conservatory on the southern elevation of the building. This conservatory will be small in scale and reflect the host building through the use of traditional materials and design, and as such is considered not to harm the listed building. In addition, given the location of the conservatory, it will not be visible from the public realm and as such will not cause harm.

The conservatory is an appropriate proposal for the property, and will not cause harm to the heritage asset, using materials matching the existing where possible. It will not be visible from the street scene to the front of the property, and will have minimal impact on the character and appearance of the conservation area.

It is considered the proposal will not harm the significance of the heritage asset and as is in accordance with HER DM1, HER DM3 and HER SP1, in that it is considered to protect and enhance the special historic and architectural character of the building, and preserves the character of the Conservation Area.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions (including on materials suggested by the Conservation Officer on the associated listed building application) 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 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
- Block Plan and Site Block Plan Proposed
- Existing Side Elevations
- Proposed West, East and Side Elevations
- Proposed Section N-N and W-W
- Detail Drawings

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 No development above damp proof course (DPC) level shall take place unless and until

i) a schedule of materials and finishes for the windows (including details of the cross section of the frame, glazing bars and method of glazing) and tiles/bricks/mortar and

ii) a sample panel of the flint work to be used for the extension has been constructed on site and photographs showing the panel

have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER SP1 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.