

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

REF NO: BE/89/18/HH

LOCATION: 40 Norbren Avenue
Bersted
PO21 5HE

PROPOSAL: Proposed annexe

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to extend its existing garage and convert it to an annexe.
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RELEVANT SITE HISTORY

BE/4/14/	Loft conversion	ApproveConditionally 11-03-14
BE/44/07/	Proposed single storey rear extension.	ApproveConditionally 04-06-07
BE/86/87	Side extension	ApproveConditionally 24-08-87

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Parish Council provided an objection

- Residential extensions and alterations to provide ancillary uses state proposal should be designed in a manner as to easily enable the extensions to be later used as an integral part of the main property. Ancillary uses should provide limited accommodation and shared facilities. ancillary uses that could practically and viably operate on their own will not be acceptable. This application appears to fall in the category of an ancillary use that could viably operate on its own as a separate dwelling.

10 objection letters received

- The proposal, is a separate dwelling, not an annexe.
- The annexe will overlook and reduce privacy.

- The annexe will reduce parking on the site.
- The addition of another dwelling on the site will increase noise.
- The proposal will not be in keeping with the surrounding area.
- The building can be used independently from the main dwelling.
- Visibility at the near junction will be reduced by additional cars.
- The proposal will have an adverse effect on adjoining occupiers.
- Overdevelopment of the site.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Public sewer on site

DEVELOPMENT PLAN POLICES

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

[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 proposal is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 and DDM4 of the Arun Local Plan. Bersted has a made Neighbourhood Plan with policy ES1 relevant to the determination of the application.

The property is a semi-detached two storey dwelling with a detached garage to the front side of the dwelling. The host dwelling is situated on a corner plot.

DESIGN AND VISUAL AMENITY

The proposal seeks to extend the existing garage in order to construct an annexe for use of the applicants family as mentioned in the Design and Access Statement.

The property is located on a corner and as such the garage fronts Greencourt Drive at the southern side elevation of the site and is readily visible from the road frontage.

The garage is to be extended by around 3.35m towards the northern elevation with a maximum width of 6.8m. As such this nearly doubles the width of the existing structure. The proposal also increases the

height of the garage from 2.4m to 4.2m. Therefore as a result of its size and siting at the front elevation it is considered the proposal would appear as a prominent and obtrusive feature in the locality.

The proposed annexe is situated within close proximity to the host dwelling with a minimum of 1m separation when viewed from the street frontage. As such due to the unacceptable scale and siting it would result in an unsympathetic addition to the residential plot, giving rise to a cramped appearance and an overdevelopment of the site.

The surrounding properties are of a similar appearance to the host dwelling with no examples of bungalow style development within the vicinity, with a proposed bungalow recently refused at 37 Norbren Avenue. Due to its prominent position at the front of the property, it would therefore cause harm to the established spatial pattern of the area. As a result, the development is considered out of keeping with the area.

Bersted Neighbourhood Plan policy ES1 relates to the design of new development. It states the new development should create a sense of place appropriate to its location. It is not considered the proposed annexe is appropriate for its location resultant of its unacceptable scale and massing causing the proposal to appear an overdevelopment of the site.

The proposed development is considered in conflict with DDM1 (1) and DDM4 (A,B and E) of the Arun Local Plan and ES1 of the Bersted Neighbourhood Plan. This is due to the resultant impact upon the spatial pattern of the locality due to its scale and siting giving rise to an overdevelopment of the site.

RESIDENTIAL AMENITY

The proposed annexe will be constructed to a height of 4.2m with a pitched roof. The proposal will abut the southern boundary however it is located alongside an access road of 3.5m width and therefore it is not considered overbearing upon neighbours at No.47 Norbren Avenue. A window will also be installed at this elevation however due to the size and separation is not considered to give rise to any overlooking impacts or significant loss of privacy to this property.

There will be 2 windows and 1 door installed to the rear elevation and whilst it is noted that due to the distance to the rear boundary (4.6m), there is potential for overlooking, it is considered that there is no loss of privacy to the adjacent dwelling at No.38 Norbren Avenue. This is because there is intervening boundary treatment that obscures available views. Additionally, due to the single storey nature of the development, any views would be no different to those currently available from the garden of the host dwelling. Additional views from the front elevation of the annexe would be of the street scene.

As such the proposal is not considered to give rise to any overlooking, overshadowing or overbearing impacts upon neighbouring properties and accords with DDM1(3) and DDM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to be in conflict with the relevant development plan policies and as such is recommended for refusal.

HUMAN RIGHTS ACT

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), 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 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

REFUSE

- 1 The proposed annexe by virtue of its prominent location, scale and massing represents an overdevelopment of the site. The proposal would therefore result in an unduly cramped form of development which would be out of keeping with the spatial pattern of the locality and detrimental to the character of the surrounding residential area and therefore contrary to policy DDM1 and DDM4 of the Arun Local Plan and ES1 of the Bersted Neighbourhood Plan.
- 2 **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 identifying matters of concern with the proposal.