

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

REF NO: BE/99/18/HH

LOCATION: 133 North Bersted Street
Bersted
PO22 9AG

PROPOSAL: Loft conversion. This application affects the character & appearance of the North Bersted Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a loft conversion with a side dormer.
----------------------------	--

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council provided an objection.

' Does not comply with ES1 or ES5 of the Bersted Neighbourhood Development Plan as it is within the North Bersted Conservation Area and is out of character with the surroundings.'

No representation from nearby occupiers.

Conservation Area Advisory Committee provided no response.

ES5 is not considered relevant as it relates to new buildings.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up Area Boundary

Conservation Area

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas

[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 proposed development 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 of relevance to the application.

The site is occupied by a detached chalet bungalow. It is acknowledged that the proposal has already been constructed.

DESIGN AND VISUAL AMENITY

The proposal is situated to the front side of the dwelling and is visible from the street scene.

The proposed development is of a modest size and as such is not considered to be visually obtrusive or prominent in the street scene with the host dwelling set back 18m from the front boundary of the property.

Whilst there are no similar examples of this form of development in the area, the surrounding properties consist of a varied style and design and with the host dwelling of a smaller scale than the neighbouring properties, the development is not considered out of scale or character with the wider area.

Due to the size and position of the proposal it is considered to have a modest impact on the Conservation Area and as such would accord with HERDM3. Resultantly, the proposal is also not considered to have an adverse impact on the character or appearance of the host property or wider area and accord with DDM1 and DDM4 of the Arun Local Plan and ES1 of the Bersted Neighbourhood Plan. The dormer is considered to have a neutral impact on the Conservation Area.

RESIDENTIAL AMENITY

Due to its siting of the dormer it would not give rise to any impacts upon the south western elevation. The side dormer proposes a window that would directly face onto an existing projection at the neighbouring property at No.135. Whilst the window serves a staircase with 1.5m separation it will be conditioned that the window will be obscured glazed and fixed shut below 1.8m.

Due to the size and location of the side dormer it does not extend above the ridge height nor add significant bulk to the roof such that a loss of light or an overbearing impact would arise upon the detached neighbouring properties.

A juliet balcony is also proposed to the rear elevation. Whilst there may be a slight increase in potential for overlooking at the northern elevation, it is not considered significant in which a refusal is justified. There are also no properties to the rear of the host dwelling.

As such, the proposed loft conversion with dormer and juliet balcony, due to the scale of the proposal and the separation distances would not give rise to any significant overlooking, overshadowing or overbearing upon the residential amenity and as such accord with DDM1 and DDM4 of Arun Local Plan.

SUMMARY

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

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) 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 - 17/61/5
 - Block Plan - 17/61/4
 - Existing and Proposed Roof, Floor and Elevation Plan - 17/61/3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The first floor window on the north east elevation of the building shall at all times/be glazed with obscured glass and only openable at a high level, at least 1.8m above finished floor level.
Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DDM1 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.