

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

REF NO: BE/9/22/HH

LOCATION: 48 Osprey Gardens
Bersted
PO22 9QQ

PROPOSAL: Erection of two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a two storey side extension.

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
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[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 and D DM4 of the Arun Local Plan and the Arun Design Guide.

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

DESIGN AND VISUAL AMENITY

The host dwelling is an end terrace located on a corner and with the proposal located to the side elevation, it will be highly visible from the street scene.

The extension will be located to the northern elevation and meet with the original rear building line, extending along the full side.

The extension is large having a width of 3.6m which appears similar in size to the host dwelling however it is set slightly lower than the ridge and around 0.5m behind the principal elevation which helps the development appear subservient to the host dwelling.

The materials will be sympathetic to the existing, using face brick walls and a tiled roof to match the host dwelling.

The surrounding properties are similar in design and appearance. However due to the design of the proposal which is well integrated with the host dwelling it will not result in the dwelling appearing adversely out of character with the wider area.

The Arun Design Guide states 'Side extensions should in most cases be set back from the front of the house in order to play a subservient role'. 'No side extension should have a frontage greater than 70% of the original building's frontage'. The proposal conflicts with this in that the frontage is likely more than 70%. It does however 'responds to existing building design in terms of roof pitch, and uses complementary and integrated materials and elevational design'. On its own this partial conflict with the Arun Design Guide would not justify refusal of this application.

Policy ES1 of the Neighbourhood Plan states 'new 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'. The proposal complies with this.

The proposal would conflict in part with the design guide however due to its siting and the design, it will not result in adverse harm upon the character of the area and as such accords with D DM1 and D DM4 of the Arun Local Plan and the Neighbourhood Plan.

RESIDENTIAL AMENITY

Due to the siting of the extension to the side elevation of the property, adjacent to the road, it will not result in adverse overbearing or overshadowing upon amenity to the north. The boundary to the north increases at an angle and it will retain a maximum of 5.1m to the north east.

To the rear boundary to the east, there is an existing garage and access road which provides sufficient separation to rear neighbour to mitigate against adverse impact, with around 9m retained to the boundary.

There will be an additional window at first floor level facing the rear serving a bedroom however it is not considered views would increase from that which are already achievable from the existing rear facing window. There is also 16m retained to the side elevation of No.47 which is sufficient to ensure it will not give rise to adverse views.

There will also be first floor window to the side elevation, although this replaces an existing window and available views will be over the street scene.

There will be a set of doors to the ground floor which will open out into the garden.

Due to the siting and design of the extension, it will not result in adverse harm upon neighbouring amenity and accords with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord 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 - 001
 - Proposed Elevations - 005A
 - Proposed Floor Plans - 004A

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 materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity 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.