

**Report of the meeting of the Development Control Post-Committee Site
Inspection Panel held on 20-03-2018**

REF NO: AW/328/17/OUT

LOCATION: 14 Princess Avenue
Aldwick

PROPOSAL: Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT).

This application was deferred from the 14th March Development Control Committee in order for a post Committee Site Visit to take place.

The site visit took place on the 20th March and was attended by Councillors Bence (as Ward Member), Mrs Bence, Mrs Hall, Haymes, Hitchins, Mrs Oakley and Councillor Mrs Lillian Richardson on behalf of Aldwick Parish Council. Apologies were recieved from Councillors Bower, Mrs Brown, Dillon, Miss Rhodes, Mrs Stainton and Wells.

All five members voted against approving the development for the reason of:

- * Non-compliance with the Governments Internal Space Standards policy;
- * Overdominant form of development;
- * Not in character with surroundings particularly the crenellated parapet wall on the front elevation; and
- * Dominating impact on the Wessex Avenue properties to the North.

REPORT UPDATE

Application No: AW/328/17/OUT

Reason for the Update / Changes

Reason for Update/Changes:

A letter has been received from the applicant raising the following issues:

- * What was the point in listening to the advice of the planning officer in preparing this application;
- * There are 10 houses in the same road that have been converted into flats;
- * Some of these involved demolition and replacement of the original house with a flatted building;
- * The conversions are mainly at the same end of the road as the application site;
- * It is proposed to have 6 spaces for 5 flats. ADC has allowed two houses over the road to be joined and converted into 10 flats with only two parking spaces;
- * One of the proposed flats is only 1m2 short of the space standard - there must be some leeway on this; and
- * Houses at Bersted Park are very small - do they meet the space standards?

Officers Comment:

The applicant does not supply details of the addresses of these other flats. However, there is planning history in respect of the following Princess Avenue addresses:

- (1) Flat 3, 27 Princess Avenue - Part conversion of internal garage to form bedroom (AW/313/13);
- (2) 1 Princess Avenue - Erection of 14 sheltered flats (AW/307/88);
- (3) Chalfonts Hotel 15/17 Princess Avenue - Change of use from 19 bedroom hotel to 9 one bedroom flats and a two bedroom maisonette (AW/85/93);
- (4) Corner of Princess Avenue & Aldwick Road - 4No. one bedroom flats & 5No. two bedroom flats (AW/278/06);
- (5) Pebbles 4 Princess Avenue - Demolition of existing buildings, change of use C2 to C3. Erection of 5 no 2 bedroom flats in a 2 & 3 storey block (AW/229/07); and
- (6) 10 & 10A Princess Avenue - Alterations & extension of existing 2 no. flats to form 4 no. 1 bedroom & 1 no. 2 bedroom flat (AW/64/09).

There are no changes to the recommendation or conditions.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Outline Consent

REF NO: AW/328/17/OUT

LOCATION: 14 Princess Avenue
Aldwick
PO21 2QT

PROPOSAL: Outline application with some matters reserved for the conversion of existing

dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This is an Outline application accompanied by details of access, appearance, layout and scale. Landscaping would then be the sole reserved matter. The proposal seeks to convert the existing dwelling into 5 self contained flats. In order to achieve this, the following extensions are proposed:

- (1) Removal of the existing single storey side extension & removal of chimneys;
- (2) New two storey 2.4m deep front extension;
- (3) New flat roofed two storey rear extensions - adding approximately 0.3m to the existing single storey depth and filling in empty areas between existing single storey extensions;
- (4) As part of (3), the part of the rear extensions closest to the boundary with no. 12 will be single storey with a flat roof;
- (5) Two storey flat roofed side extensions either side of the first floor roof space above the existing garage. The front (west) elevation will include a crenelated parapet wall. New skylight in the flat roof;
- (6) New gable extensions to either side of the main roof; and
- (7) Conversion of half of the existing roof space together with new full width (8.9m wide) rear dormer, one front velux window and one skylight in the roof of the dormer.

The submitted drawings also show off-street hardstanding parking across the front of the site for 6 cars and a new bin/cycle store located in the rear garden. The rear garden will be a communal space.

SITE AREA

0.0425 hectares.

RESIDENTIAL DEVELOPMENT DENSITY

118 dwellings per hectare (up from 24 dph).

TOPOGRAPHY

Predominantly flat.

TREES

There is an existing 3-4m high tree in a neighbouring rear garden (no. 12) which provides screening but would not be affected by the proposals. Two small (circa 2.5m) trees along the boundary with no. 16 also not affected.

BOUNDARY TREATMENT

- Dwarf wall to front;
- Part timber fence (1m rising to 1.8m), part 1.6m wall to no. 16. Supplemented by two small trees;
- 1.6m high timber fence to no. 12; and
- Part garage wall, part 2.2m high timber fence to rear boundary with Sandringham on Wessex Avenue.

SITE CHARACTERISTICS

Existing two storey detached dwelling fronted in brown brick & cream render with black painted timber detailing. Front single

storey bay window projection. Cream rendered to rear and sides. Pitched lean to garage/store extension to southern side (part of the roof space of this extension is storage to a first floor bedroom). Lean to porch structure on northern side. Single storey utility room extension and conservatory on rear. Clay tiled roof. Three chimneys. Rear garden laid to lawn with a small timber domestic shed. Additional to the garage & driveway, on-street parking is available.

CHARACTER OF LOCALITY

Residential area predominantly characterised by detached two storey dwellings, some with rooms in the roof albeit no other obvious rear dormers in the area. Some larger 3-4 storey flatted buildings at the southern end of Princess Avenue and also at the Northern end where it joins Aldwick Road. Mix of roof forms in the street scene including gables to the side at either end of Princess Avenue and on flatted buildings on Wessex Avenue to the rear.

Neighbouring properties comprise of the following:

12 - This is a two storey detached property which comprises 5 flats for the elderly as approved by BR/177/17. It has no first floor flank windows on the affected side. The closest window on the rear is not considered to serve a principal room.

16 - This is a two storey detached property which comprises 2 flats as approved by BR/160/52. Three existing first floor flank windows. Ground floor flank windows are obscured by existing outbuildings.

La Casita, Wessex Avenue - this two storey detached dwelling backs onto the side of 14's rear garden. It has ground and first floor principal windows which overlook the site.

Seagull, Wessex Avenue - this two storey detached dwelling has ground and first floor principal windows which overlook the site albeit at an oblique 45 degree angle.

Sandringham, Wessex Avenue - two storey detached dwelling with ground and first floor principal windows that backs onto the site.

RELEVANT SITE HISTORY

AW/71/17/OUT	Outline application with some matters reserved for the conversion of existing dwelling into 5 No. dwellings with rear, side & dormer extensions.	Withdrawn 12-06-17
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Planning application AW/71/17/OUT sought permission for a similar development albeit with a pitched roof above the two storey side/rear extensions, three front facing velux windows and an external

staircase & access across a flat roof on the rear to three of the flats. It was withdrawn by the applicant at the request of the Council due to the following issues:

- Impact on the character of the street;
- Overlooking of neighbouring gardens from the staircase & walkway;
- Loss of light to no. 12 from the two storey side extension built right up to the boundary; and
- Non compliance with internal space standards.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

"Members strongly opposed the application on the grounds that the proposed conversion would not sympathetically relate to or be visually integrated with, the existing building in siting, design, form, scale and materials, because the conversion would compromise the established spatial character and pattern of the street and because there is insufficient parking provided. Members also considered the internal layout of some of the flats to be unusual (bathroom placement). Therefore Members agreed that the proposed conversion is in direct conflict with Policy DEV 19 (i) and (v) of the Arun District Local Plan 2003 and with Policy GEN 12 (it does not ensure that appropriate parking facilities are provided within the conversion) of the Arun District Local Plan 2003 and with the Parish Design Statement page 64."

Six letters of objection including with supporting images raising the following issues:

- (1) Extensions to the rear will dominate and overlook the nearby dwellings La Casita & Seagull;
- (2) Proposed conversion/extension works are not subservient to the host dwelling;
- (3) Conflict with Policies GEN7, GEN29, GEN30, GEN32, DEV19 & DEV23 of the Arun District Local Plan;
- (4) Impact on Human Rights;
- (5) Noise disturbance to neighbouring properties as a result of taking bins from the store to the front & vice versa, opening & closing etc - this will generate a collective noise level in excess of 97 decibels;
- (6) No provision for bins when left at the front on collection day - will create a hazard for pedestrians;
- (7) Only access to ground floor flat 2 is from the back and this will result in noise & light pollution to neighbouring properties;
- (8) The access to the rear garden between the northern wall of the building and the boundary is less than 1m wide;
- (9) Inadequate access to the entrance to flat 2 for emergency fire/ambulance personnel;
- (10) Loss of trees from front and rear gardens including a well established Yew Tree & Laurel hedge in the front and four mature trees in the rear garden all of which support bird life and the resultant impact on birds would be disastrous;
- (11) Increase in noise from building works;
- (12) Increase in parking demand on local streets;
- (13) Odour pollution from bin store to rear garden of La Casita;
- (14) Overdevelopment;
- (13) Increased surface water runoff; and
- (14) Pedestrian safety from cars traversing the pavement to access the parking spaces.

A seventh letter was received from a resident of one of the flats in 16 Princess Avenue requesting that the comments made in respect of the previous application be transferred to this application file however, it is not Council procedure to do this and to do so would create a precedent for future situations.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council comments are noted and will be discussed within the conclusions section under "Design & Character" and "Highway Safety & Parking". However, it is not considered that the placement of bathrooms within the layout is capable of being a material planning consideration whether unusual or not.

The following comments are made in respect of the neighbour objections:

- (1) This will be discussed in the Conclusions section under "Overlooking/Privacy";
- (2) This will be discussed in the Conclusions section under "Design & Character";
- (3) These policies will be discussed in the Conclusions section. However, it should be noted that policy DEV32 is not a saved policy and does not form part of the adopted Local Plan. Therefore, no weight can be given to it;
- (4) Human Rights are considered within this report;
- (5) This will be discussed in the Conclusions section under "Noise & Odour Pollution";
- (6) It is normal practice for residents to put their bins out on the street on collection day;
- (7) It is not considered that the movements associated with the flat entrance would be materially different to the use of a back door by a resident;
- (8) According to the submitted site plan, the width is between 1 and 1.1m which would be sufficient. It is accepted that the width seems less when looking at the proposed ground floor plan but it is not considered that this straight line at the top of this plan is the line of the boundary;
- (9) This is not a material planning consideration;
- (10) This will be discussed in the Conclusions section under "Trees and Wildlife";
- (11) Any impacts during construction will be temporary in nature. Furthermore, there is other legislation (such as Environmental Law) in place to protect residents from undue noise;
- (12) This will be discussed in the conclusions section under "Highway Safety & Parking";
- (13) This will be discussed in the conclusions section under "Noise & Odour Pollution";
- (14) This is considered within the Conclusions section under "Design & Character" and "Space Standards";
- (13) This is not a location in which it would be appropriate to impose a condition requiring a surface water drainage scheme and instead this will be considered during the Building Regulations process. Council drainage engineers did not object to the previous application; and
- (14) This will be discussed in the conclusions section under "Highway Safety & Parking";

CONSULTATIONS

WSCC Strategic Planning
 Engineering Services Manager
 Engineers (Drainage)
 Southern Water Planning
 Environmental Health
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER: No objections subject to an informative and a condition to ensure that any unrecorded sewers crossing the site are protected.

WSCC HIGHWAYS: No objection subject to cycle storage, car parking and access conditions. Also an

informative regarding the works to extend the crossing. State that the comments given for AW/71/17/OUT still apply. These are summarised as:

- Using the WSCC Car Parking Demand Calculator, and on the basis that the car parking spaces remain unallocated, the proposal will result in a demand for 5 car parking spaces;
- The parking spaces should therefore be unallocated;
- Whilst a turn on site is not achievable the lightly trafficked slow speed context of this unclassified road is appreciated;
- Neighbouring accesses operate in a similar manner without evidence of highway safety concern;
- The provision of off street parking reduces the pressure for further on street parking which causes a noticeable narrowing of the available carriageway space; and
- Junction protection in this area ensures that on-street parking cannot occur in unsafe locations.

ADC ENVIRONMENTAL HEALTH: Advise "no comment".

ADC PRIVATE SECTOR HOUSING: Make general comments on fire safety, room sizes and ventilation but raise no objections.

ADC DRAINAGE ENGINEERS: No response received but did not object or require any conditions in respect of the previous application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. WSCC Highways have requested a condition requiring approval of cycle storage details. However, the application is already accompanied by these details and so it would not be reasonable to impose a condition requiring approval of these details.

POLICY CONTEXT

Designation applicable to site: Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

AREA13	Sites of International Importance for Nature Conservation
GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development
GEN32	Noise Pollution
GEN34	Air Pollution

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
ECC SP2	Energy and climate change mitigation
ENV DM2	Pagham Harbour
H DM1	Housing Mix

SD SP2 Built -Up Area Boundary
 T SP1 Transport and Development
 QE DM1 Noise Pollution
 QE DM3 Air Pollution
 W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10 Aldwick Parish Design Statement

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new Local Plan is in preparation and constitutes a material consideration when determining planning applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was suspended whilst Arun District Council addressed matters raised by the Inspector but it resumed on 17th September 2017 and has now concluded. The District Council is awaiting the Inspector's report which is due out in Spring 2018. The Main Modifications to the Arun Local Plan and evidence base are being made available for public consultation. Representations can be submitted to the council over a six week period starting on Friday 12 January until 5pm on Friday 23 February. This follows on from the Arun Local Plan examination hearings held in September 2017.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination ended in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering;

Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The parish of Aldwick has not developed a Neighbourhood Development Plan but has published a Design Guide.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties and nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is in an urban and predominantly residential area. It is defined as being part of the built up area boundary area and is acceptable in principle subject to normal development control criteria such as residential amenity, highway safety and parking. It is noted that the National Planning Policy Framework (NPPF) supports the effective and efficient use of land for sites in the built up area but also advises that new housing should be well integrated with and should complement neighbouring buildings and the local area in terms of scale, density, layout and access.

Paragraphs 14 and 49 of the NPPF set out a presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The application site lies within the settlement of Bognor Regis (including Aldwick) and there are various local amenities and services within walking distance of the site along street lit footways. Bognor Regis Train Station is a walk or cycle of 1.4km and there are bus stops nearby on both Kings Parade to the south & Aldwick Road to the north. Aside from a nearby Tesco Express (350m), the nearest large supermarket is the Morrisons in Bognor Regis (1.6km). It is therefore considered that the proposal is environmentally sustainable as residents will not need to rely on the private car to access basic services & facilities. These environmental factors weigh in the scheme's favour.

It is considered the proposal will result in localised economic benefits through the need to employ people to carry out the building works. The proposal will also result in a net gain of 4 dwellings and so an increase in Council tax receipts and new homes bonus payments. In addition, the flats could bring new people into the area who could then spend money on local goods & services. These economic factors weigh in the scheme's favour. It is also considered that the proposal will have social benefits by providing new housing to meet local needs and this also weighs in the scheme's favour.

It is considered the proposal is sustainable development and would benefit from the NPPF presumption in favour of sustainable development. This report now considers the proposal against the relevant policies of the development plan.

DESIGN & CHARACTER:

The Parish Council consider that the proposal will not sympathetically relate to or be visually integrated with the existing building and because it would compromise the established spatial character and pattern of the street. In addition, local residents do not consider the extensions to be subservient to the host dwelling and that the scheme overdevelops the site.

Local Plan Policy GEN7 (ii) requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling.

The site is defined within the Aldwick Parish Design Statement as being part of Character 13 "Aldwick Road" and therefore, the following development criteria in respect of extensions are relevant:

- New extensions should be visually subservient and related to the existing building and not vary significantly in height or bulk from those nearby;
 - Existing separation of dwellings should be preserved to prevent unneighbourly cramped or visually intrusive closure of gaps;
 - Materials matching the existing building should be used where appropriate.
 - Roof development should be sympathetic & in keeping with the character of existing properties;
 - Roof development likely to be particularly intrusive should be strictly controlled;
 - Front boundaries, where present, should contribute to overall street scene;
 - The existing pattern (set back & density) should be maintained;
 - Existing boundary walls, trees and hedges should be preserved;
 - Over development of the area by infilling and converting large properties into flats should be avoided;
- and
- Amenity trees, spaces and access ways should be retained.

The proposals will add significantly to the existing building. However, taken individually, they are considered to be subservient additions and they will visually integrate with the host building. It is noted

that matching materials are proposed. The bulk of the extensions are to the rear and will not be visible in the street scene.

The only changes visible from the front will be the flat roofed first floor side extension (with front crenelated parapet wall), the front extension (which does not extend beyond the existing building line) and the two gable additions to the main roof. None of these additions are considered to be harmful to the appearance of the streetscene or character of the area. It is accepted that the first floor side extension will be built up to the boundary. However, there is an existing gap of at least 2m between the boundary and the edge of no. 12. Furthermore, a 1m gap will be retained to the northern boundary. Therefore, the proposals will not result in a terracing effect within the street scene.

The drawings include a single front velux window. Although this suggests to passers-by the use of the roofspace, there are properties opposite the site which also have a roof level window. It should be noted that the previous application drawings included three front velux windows and this was considered to be out of character - hence the plans were changed to only include one at the front.

The removal of the chimneys would represent a change to the character of the streetscene as all other dwelling houses have at least 1 chimney. However, it would be possible to remove the chimneys under permitted development rights whether planning permission is given or not.

The proposed rear extensions do not significantly deepen the existing footprint and although they add a second storey above, the part closest to the boundary with no. 12 will only be single storey (with a flat roof) and as such will not overshadow any of the windows on that property. The two storey rear extensions will also be flat roofed and this further reduces the impact on adjacent properties.

The proposed rear dormer will be a large addition to the roof but will be subservient in height to the main roof and will essentially only be visible from the rear (perhaps with glimpsed views between houses from Wessex Avenue).

The criteria of the Aldwick Parish Design Statement are noted, however for the reasons set out above, it is not considered that the extensions materially conflict with the guidance. The Guidance does state that conversion into flats should be avoided but as there are other flattened properties within the street (including purpose built and converted buildings), it is considered that there is local precedent. Impacts on trees will be discussed elsewhere in this report but it is not considered that the proposals remove any trees or vegetation of amenity value.

The proposal is therefore considered to accord with policies GEN7 and DEV19 of the Arun District Local Plan and with the Aldwick Parish Design Statement.

OVERLOOKING/PRIVACY:

Local residents consider that the proposals will dominate and overlook nearby houses and gardens.

Arun District Local Plan Policy GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

It is also important to note that paragraph 17 of the NPPF states that decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The rear facing windows within the dormer will be at a higher level than those of a two storey property

but are not any deeper into the plot than the existing rear wall of the house. As a result, there is a distance between these windows and the rear of La Casita of 14-20m, and to Seagull, of at least 18.5m. Furthermore, the views between these properties are oblique and not a typical back-to-back arrangement. Having regard to this fact, the distances are considered to be acceptable. The proposed new roof level north facing flank window will be obscure glazed and this will protect the amenity of no. 16 to the north.

The new rear facing first floor windows will be set further into the plot and therefore closer to nearby properties. However, again, any views of La Casita & Seagull will be at an oblique angle and at a reasonable distance (at least 15m) so as to prevent any direct and harmful loss of privacy. It is accepted that the private gardens of the neighbouring properties are closer than their windows, however the views will still be oblique such that the privacy of these spaces will not be compromised.

The proposal is therefore considered to accord with policies GEN7 and DEV19 of the Arun District Local Plan.

NOISE & ODOUR POLLUTION:

Local residents consider that there will be odour pollution from the bin store and noise pollution arising from moving wheeled rubbish bins around.

Arun District Local Plan Policy GEN32 (Noise Pollution) states that: "Development which is a potential source of significant noise pollution will not be permitted unless the Council is satisfied that appropriate measures have been included in the proposal to reduce noise pollution to acceptable levels."

Arun District Local Plan Policy GEN34 (Air Pollution) states that: "Development that contributes to air pollution through dust, smell, fumes, smoke, heat, radiation, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is not put at risk and the quality of the environment would not be damaged or put at risk."

It is important to note that the submissions made in respect of noise were passed on to the Council's Environmental Health officers and that their response stated no objection to any part of the scheme. If they had considered there to be an odour or noise issue then they would have commented about it.

In addition, although it is accepted that the result of this flat conversion will be a greater number of bins on the site, the act of moving bins across a property and opening/closing them is not something untypical in a residential area. Further, there are existing flatted buildings on both sides of the site and also elsewhere on Princess Avenue which would appear to be operating without amenity impacts of this nature. In respect of the bin store, this will be a self contained structure and rubbish will be stored inside either in bags or in bins. It is not considered that this is likely to give rise to odours but should any instances of odour arise, then the Council would be able to resolve such issues through separate environmental health powers.

The proposal is therefore considered to accord with policies GEN32 & GEN34 of the Arun District Local Plan.

SPACE STANDARDS:

Policy D DM2 of the modified emerging Arun Local Plan states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance"

It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the individual flats are suitable for residential use. The following is a list of the requirements versus the actual measured internal space for each of the 5 flats:

Unit No. - No. of beds & Persons - Required Floor Space - Actual Floor Space

1	2B3P	61m2	60m2
2	2B3P	61m2	74m2
3	2B3P	61m2	57m2
4	2B3P	61m2	62m2
5	1B1P	39m2	36m2

Although the scheme is only 40% compliant it is considered that this is acceptable having regard to: (a) the preamble to Policy D DM2 of the emerging modified Local Plan which states that "There might be occasions where development schemes cannot comply with all the space standards required (such as the conversion of an existing building" and that these will be considered on a case-by-case basis; and (b) in the case of the 3 flats that do not comply, none are significantly less than the requirement. On this basis, it is considered that the proposal is in accordance with the emerging space standards policy.

In respect of external garden standards, the current modified version of the emerging Arun Local Plan proposes to delete policy D DM3 in favour of inclusion within a future design guide. It is not therefore considered appropriate to now refer to this policy. The proposal includes a large communal rear garden of around 105m2 in size which equates to 21m2 per flat. Furthermore, the site is only a short walk from Marine Park Gardens, West Park and the beach so there are other opportunities available for recreation and for sitting outside.

HIGHWAY SAFETY & PARKING:

The Parish Council consider that the proposal provides insufficient parking. In addition, local residents consider that the proposal will result in increased parking demand on local streets and that cars traversing the pavement to access the parking spaces will create safety issues to pedestrians.

Policy GEN7 (vii) requires that new development allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. Regard should also be had to paragraph 32 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

Arun Local Plan policy GEN12 refers to the need to provide sufficient off-street parking. However, the standards within the appendices to the Local Plan which it refers to have been superseded by the West Sussex (Residential) Parking Demand Calculator.

The application has been assessed by West Sussex County Council Highways who do not consider that it will result in any adverse impacts on highway safety. Furthermore, they advise that there is sufficient car parking to meet the likely demand.

On this basis, it must be considered that the proposal is in accordance with Arun District Local Plan policies GEN7 & GEN12. A condition will be imposed to ensure that the parking spaces are not allocated to any specific flats.

TREES AND WILDLIFE:

Local residents consider that the proposals will remove notable trees and that this will result in lost bird breeding & feeding habitat.

Arun Local Plan policy GEN28 provides protection to trees but only where they are already protected, in a Conservation Area or identified as ancient woodland. Paragraph 118 of the NPPF states that: "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

Arun Local Plan policy GEN29 states that development will only be permitted on sites which contain semi-natural habitats, features of nature conservation interest, or within wildlife corridors, where these can be largely retained and sympathetically incorporated into the scheme. Policy GEN30 is noted but this only applies where species protected by law are affected and this would not be relevant for an urban residential site.

It is not considered that there are any trees within the site that would qualify as having amenity value or being either aged or veteran. It is noted that the objector considers there to be a well established old Yew Tree in the front garden. However, a site visit confirmed only small shrubs to be present and certainly none over a height of 1.5m. It is not considered that the proposed extensions are likely to affect any of the trees to the boundaries of the rear garden however, in any case, none of these are considered to be significant enough or have local amenity value so as to warrant preservation.

Should any trees need to be pruned or felled then there could be an impact on local birds using the site. However, it is not considered that any such impact would have a significant and material impact on local birdlife.

It is therefore not considered that the proposals are in conflict with policies GEN28, GEN29, GEN30 of the Arun District Local plan or in respect of the guidance within the NPPF.

IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

Policy ENV DM2 of the Emerging Local Plan (Publication Version) requires that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. An original contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015 and subsequently reduced down to £871 per new residential unit as of the 10th April 2017. The 2015 report to Cabinet stated that:

"The access management measures identified are referred to as Strategic Access Management and Monitoring (SAMMs). As these do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, do not apply. It is common practice by many other authorities (for example Elmbridge) that contributions towards SAMMs are gathered through S106 planning obligations. This approach has also been confirmed within Counsel advice sought by the Council. As a contribution is required to make the development acceptable in planning terms, it is therefore in compliance with the tests under Regulation 122 of the CIL Regulations (2010) as amended"

Furthermore, this policy has a basis in the current development plan in that Local Plan policy AREA13 "Sites of International Importance for Nature Conservation" states that: "Where development is permitted,

the use of conditions or planning obligations will be considered in order to avoid and minimise harm to the site, to enhance the site's nature conservation interest, and to secure any compensatory or mitigation measures and appropriate management that may be required."

This contribution is now required for all new residential developments within Zone B and this zone includes the application site. The application is accompanied by a complete signed legal agreement which secures a contribution of £3,484 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

SUMMARY:

The proposed extension and conversion of this property is considered to represent an efficient use of urban land and does so without compromising the visual amenities and character of the area, highway safety or the amenities of existing nearby residential occupiers. The proposal is considered to be sustainable development and notwithstanding that it complies with all development plan policies, it therefore benefits from the presumption in favour of development set out within the NPPF. The recommendation to approve is therefore made subject to the following conditions and the signed Section 106 Agreement.

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.

SECTION 106 DETAILS

This decision is accompanied by a Section 106 legal agreement relating to a payment of £3,484 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area. This is payable on commencement of development. The Section 106 Agreement has been signed by all parties and is considered to be complete.

RECOMMENDATION

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matter must be made not later than the expiration of 3 years beginning with the date of this permission:-

(e) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan ref. SBS/221;
 Site and Block Plan dwg. SBS/221/09 Rev A;
 Proposed Site Plan dwg. SBS/221/20 Rev A;
 Proposed Ground Floor Plan dwg. SBS/221/03 Rev C;
 Proposed First Floor Plan dwg SBS/221/04 Rev C;
 Proposed Second Floor Plan dwg SBS/221/08 Rev B;
 Proposed Roof Plan dwg. SB/221/07 Rev A;
 Proposed Elevations dwg. SBS/2241/06 Rev D; and
 Proposed Cycle/Bin Store Plan & Elevations dwg SB2/221/11.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety and in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 5 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

- 6 None of the car parking spaces serving the property shall be allocated to a specific flat and they shall be available for any and all of the approved flats within the building.

Reason: The parking provision has been assessed on the basis of unallocated spaces and in accordance with policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

- 7 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.
- Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 8 The first floor bathroom window on the northern elevation of the building shall at all times be glazed with obscured glass and fixed to be top vent opening only.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.
- 9 The second floor secondary lounge/kitchen window on the northern elevation of the building shall at all times be glazed with obscured glass and fixed to be top vent opening only.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
- Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and to ensure adequate communal garden space for future occupiers in accordance with policy GEN7 of the Arun District Local Plan.
- 11 Should any sewer be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.
- Reason: To ensure that the proposed development does not result in any damage to any existing foul sewers in accordance with policy GEN9 of the Arun District Council Local Plan.
- 12 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 13 INFORMATIVE: Please note the following Private Sector Housing comments:
- Fire Safety
- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"
 - A room where the only escape route is through another room is termed an "inner room" and

poses a risk to its occupiers if a fire starts unnoticed in the outer room. The escape routes from the bedroom in flats 1, 2 and 3 is via the kitchen, this can be overcome by ensuring that the window in the bedroom is an escape window and adequate fire protection within the flat.

Room Sizes

- Room sizes should meet the minimum standards for houses in multiple occupation if the flats are intended to be rented.

Ventilation

- Any bathrooms and kitchens without windows for natural ventilation should have adequate mechanical ventilation.

General

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards;

- Must meet the requirements of the Arun District Council Houses in Multiple Occupation Standards (2016).

- 14 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.
- 15 INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 16 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £3,484 towards the provision of accessible natural open green spaces to serve the Pagham area.