

Recommendation Report for Planning Permission

REF NO: BE/47/19/PL

LOCATION: 38 Chalcraft Lane
Bersted
PO21 5TX

PROPOSAL: Addition of first floor to existing bungalow to allow conversion to 2 x 1 bedroom flats and a studio flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to create a first floor with the addition of a dormer to the front and rear. This is to allow for conversion of the dwelling into 2 x 1 bed flats and studio apartment.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	The side boundaries consist of fencing of 1.8m. The front boundary is open plan to allow for parking.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow set back from the road frontage.
CHARACTER OF LOCALITY	The area is predominately residential.
None.	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Objection

- Does not conform to D DM4 of the Arun Local Plan.
- Dormer windows will overlook neighbouring properties.
- Siting of bins and cycles is located at neighbouring boundary.
- Amenity space looks inadequate.
- Overdevelopment of the site.
- Does not comply with Bersted Neighbourhood Plan policy HDQ8 for 2 car parking spaces minimum per dwelling.

3 letters of objection from 2 nearby occupiers

- Not in keeping with surrounding area.
- Bin and cycle storage have potential for smell, fire risk, vermin and noise.
- Inadequate parking.
- Overlooking from proposed dormer.
- Noise
- Value to property will be affected.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in conclusion. The bin storage has been repositioned to sit within the individual allocated amenity areas. Value of property is not a material consideration.

CONSULTATIONS

Engineers (Drainage)
Environmental Health
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Due to lack of proposed change there are no conditions to request.

WSCC (Highways) - The plans demonstrate a sufficient amount of off-street parking provision to meet the needs of the properties. The site is also located within a sustainable location. The Local Highway Authority does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary
Pagham Harbour Zone B

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)
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
DDM2	D DM2 Internal space standards
ENVDM2	ENV DM2 Pagham Harbour

Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy HDQ6	Outdoor space
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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 conflict with relevant Development Plan policies in that it does not comply with DDM4 (b) as it is not subservient to the host dwelling.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

CONCLUSIONS

As stated in SD SP2 the key policies considered are D DM1, D DM4, D DM2 and ENV DM2 of the Arun Local Plan.

Bersted has 'made' Neighbourhood Plan with policy ES1, HDQ6 and HDQ8 of relevance to the application.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary and will be permitted subject to consideration against other policies in the Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The proposal will create a first floor to the existing dwelling. This will increase the ridge height of the dwelling. The eaves will increase from 3m to 3.7m and ridge height from 5.8 to 7.1m. This will result in a larger dwelling than that of the property to the north east however it is not considered to appear adversely overbearing with 2.5m separation to the boundary. The property located to the west is a two storey dwelling and therefore the host dwelling will sit below this.

As a result of the increase in ridge height the development is not considered subservient to the host dwelling and therefore in conflict with D DM4 (b) however the development appears well integrated and is of a modest scale and not unduly dominant upon the street scene, with the surrounding properties of a varied style and design.

The materials will consist of render to the ground floor and weatherboarding to the first floor. The use of these materials is not considered out of character with the surrounding properties mixed in appearance.

Whilst the proposal will alter the appearance of the dwelling, the change is not necessarily harmful. The alterations proposed are not considered to adversely impact upon the spatial pattern or character of the area and accord with D DM1 and D DM4 (a) and (e) of the Arun Local Plan.

RESIDENTIAL AMENITY

The conversion of the dwelling will result in the first floor forming a 1 bed flat with a dormer to the front and rear to the property. The ground floor of the dwelling would form a second flat and the rear single storey addition would form a third studio flat.

The dormer to the rear would overlook neighbouring gardens however it is not considered to result in significant overlooking with no direct views into neighbouring properties and with the front facing dormer having views over the street scene.

The elevations will remain as existing except for the north east which will have an additional door to the main part of the dwelling and to the single storey addition, which will form individual entrances for the flats. This alteration is considered to have a limited impact on neighbouring residential amenity, with 2.5m retained to the boundary, this is considered acceptable distance in such that it should not give rise to unacceptable adverse impacts upon the neighbouring property.

The bins and cycle storage has been repositioned to sit within the allocated amenity space for each flat and therefore again is not considered to impact neighbouring amenity as views will be limited.

It is not considered the use of the house as three dwellings would lead to unreasonable noise and disturbance, above and beyond that which already occurs from the use as an existing single family unit. As such the proposal is considered to accord with D DM1 and D DM4 (c) of the Arun Local Plan.

HIGHWAYS/PARKING

Arun Local Plan Policy T SP1 seeks to ensure that development does not have a severe impact on the highway network, provides adequate parking and promotes sustainable transport.

The proposed dwellings have 5 parking spaces, which will utilise the existing highway entrance. WSCC have assessed the scheme and consider the plans demonstrate a sufficient amount of off street parking provision to meet the needs of the properties. Provision for cycle storage has also been included within the details submitted.

The Bersted Neighbourhood Plan policy HDQ8 states that there should be 2 car parking spaces per dwelling. The plans have been amended which remove the tandem parking along the side of the dwelling

due to the spaces not being fully useable. As a result, 5No. parking spaces are now proposed and as such the application conflicts with policy HDQ8 of the Bersted Neighbourhood Plan as there are not 2 spaces available per dwelling. However, whilst it conflicts, the ground floor rear flat is a studio flat and as such there is unlikely to be more than 1 tenant. As a result, 1No. parking space for the dwelling is considered sufficient for the needs of the property and the parking provision for the flats is considered acceptable.

The site is within a sustainable location with good public transport links within close proximity. The proposal is therefore considered to accord with policy T SP1 of the Arun Local Plan.

INTERNAL SPACE STANDARDS

Arun Local Plan policy D DM2 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).

Flat	Storeys/Beds/Persons	Required	Proposed	Compliance
Ground Floor	1S/1B/2P	50m ²	56m ²	Y
First Floor	1S/1B/ 2P	50m ²	56m ²	Y
Studio Apartment	1S/1B/1P	39(37)*	41m ²	Y

The units would also each have a designated garden space of 5m depth by 8.5m width separated via fences to the rear of the property. The amenity space provided is considered sufficient with an area of recreation ground situated close by to the north west of the dwelling. The land shown on the plan to the rear of the designated amenity space will remain as allotment for use of by the applicant.

The proposal complies with policies D DM1 & D DM2 and with the guidance within the NPPF.

PAGHAM HARBOUR

ALP Policy ENV DM2 requires 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. The Council's Cabinet approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017. The site lies in designated Zone B and therefore it was necessary to apply this requirement. On the basis of a net gain of 2No. dwellings, the contribution will be £1742 and this is secured by a signed legal agreement. Therefore, there is no conflict with policy ENV DM2.

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 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.

SECTION 106 DETAILS

This decision is accompanied with a S106 legal agreement relating to a contribution of £1742 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

RECOMMENDATION

- 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 - 284/01
 - Proposed Floor Plan - 284/03
 - Proposed Elevation - 284/04
 - Proposed Site Layout - 284/05 Rev C

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 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 and in accordance with TSP1 of the Arun Local Plan.
- 4 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £1742 towards the Pagham Harbour Access Management Mitigation Measures.
- 5 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.