

Recommendation Report for Planning Permission

REF NO: EP/33/25/PL

LOCATION: Seafield Lodge
Seafield Road
East Preston
BN16 1NA

PROPOSAL: Demolition of existing dwelling and construction of 1 No. new dwelling (self/custom build). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The dwelling will measure approx. 10.6m(w) by 12.4m(d) and be a maximum of 6.5m(h). It will have a flat roof, integral garage, 3 bedrooms and a rear balcony. The access will be retained and parking for approx. 3 cars is provided on the driveway.

SITE AREA

0.047 hectares.

RESIDENTIAL DEVELOPMENT 21 dwellings per hectare.

DENSITY**TOPOGRAPHY**

Predominantly flat.

TREES

None of significance affected by the development.

BOUNDARY TREATMENT

2m wall and fence.

SITE CHARACTERISTICS

Residential dwelling.

CHARACTER OF LOCALITY

Predominantly residential. Around 100m to the south of local shops, with a Public House to the immediate east (opposite side of the highway) and the foreshore 70m to the south.

RELEVANT SITE HISTORY

EP/22/24/PL

Partial demolition, subdivision and part single storey part ApproveConditionally two-storey extensions of existing dwelling to form 2 No 2 14-05-24 bedroom dwellings, alterations to access arrangements, provision of parking and landscaping. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

REPRESENTATIONS

East Preston Parish Council state objection:

- Site is in a prominent corner location and is in the Seafield Road (part), Palm Cottages, South Strand

(part) Area of Character (AoC).

- Design not be in keeping with the more traditional neighbouring/adjacent properties in Sea Road, Palm Court Cottages and Seafield Road.

East Preston and Kingston Preservation Society also state objection.

- The design would not integrate well, being overly cuboid and blocky in appearance, though we appreciate that efforts have been made to relieve a mundane geometry.
- The boundary wall along Sea Road and curving towards Seafield Road should be retained.
- Materials should harmonise with others in the area (darker cream and more golden oak palette). This might provide a better transition between the different styles of house in this AoC.
- Sensitive site, just outside the private road with properties on spacious plots, and at the edge of the more densely built village area of smaller dwellings to the east. The new house should harmonise with traditional designs in most of this area, especially the historic Seaview Hotel opposite, and the mock-Tudor and Arts and Craft style houses on the northern side of Seafield Road.

1 letter of support stating a thoughtful build which is in keeping with its surroundings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection with conditions suggested.

Environment Agency - No objection with a condition suggested.

ADC Engineers - No comments received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Built-up Area Boundary.

Flood Zone 3.

Coastal Erosion Protection Area.

Area of Character.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards

QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

East Preston Neighbourhood Plan 2014 Policy 1

East Preston Neighbourhood Plan 2014 Policy 2

East Preston Neighbourhood Plan 2014 Policy 5

Housing - General Principles

Design in Character Area One

Design in Character Area Four

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 complies with relevant Development Plan policies in that on balance the proposal does not demonstrably harm the character of the area, does not harm the residential amenity of neighbours, provides a high level of amenity for future occupants and does not pose a risk or increase the risk elsewhere of flooding.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- any local finance considerations, so far as material to the application, and
- any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for the measurable 10% net gain as it is for self built/custom build development.

CONCLUSIONS

PRINCIPLE

The site is in the Built-Up Area Boundary where the principle of residential redevelopment is acceptable subject to consideration of relevant policies in the Arun Local Plan (ALP). The proposal is thereby in accordance with policy SD SP2.

The key development plan proposals relevant to this application are D SP1, D DM1, D DM2, QE SP1, ECC SP2, ENV DM5, W DM2, W DM3 and T SP1 of the ALP, and policies 1 & 4 of the East Preston Neighbourhood Development Plan (EPNP). The Arun Design Guide (ADG) and the Arun Parking Standards are relevant. Subject to compliance with other policies in the Plan, the principle of development is established.

CHARACTER AND APPEARANCE

It is proposed to demolish the dwelling (a part two-storey, part single-storey, pitched-roof, traditionally styled building) and replace it with a modern, flat-roofed dwelling. The new dwelling will be centrally located in the plot and will have a footprint approximately 40 sqm smaller than the existing structure. It will be positioned behind the most forward part of the neighbouring building relative to the highway, in line with the existing footprint, and will maintain an appropriate distance from Sea Road, preserving an established space around the building.

The dwelling will match the height of the tallest part of the existing building and will be lower than that approved by EP/22/24/PL. The design comprises two main volumes, divided by a central feature spine wall, and adopts a cuboid form finished in off-white render, limed oak weatherboard cladding, and feature stone.

The site lies at the junction of Seafield Road and Sea Road, where the EPNP identifies it as part of both Character Areas (CA) 1 and 4. These CA's are non-designated heritage assets for the purposes of the NPPF. Policy 2 (CA1) supports development that preserves the street scene through appropriate scale, density, massing, height, landscape design, layout, and materials, and protects views from the beach. Policy 5 (CA4) supports development that avoids high front garden walls or fences and provides off-street parking. Concerns have been raised regarding the potential negative impact of the modern design on the character areas and associated views. The NPPF, para. 216, states that "In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

The character of the area is varied. Smaller seafront properties (detached and attached, primarily to the east and south) are interspersed with larger dwellings on generous plots (to the west). Architectural styles and materials are eclectic. The area is well connected to East Preston's commercial centre and lies just off the main route linking the village to the beach. There is no consistent development pattern; even where plots are regular, building positions within respective plots vary significantly.

The 2m-high boundary wall, consistent with others in the area, contributes to the established character. Sea Road narrows significantly south of the Palm Cottages entrance and lacks a pavement beyond Seaview Road, approximately 50m north of the site. Vehicle movements are limited and slow, while

pedestrian activity increases near the beach. The existing dwelling is only partially visible from the beach, and this is not expected to change due to the proposal's appropriate scale. The high boundary wall along the highway will be retained, resulting in a neutral impact on beach/north facing views.

The building will be prominent when viewed from the south due to the open frontage and corner plot. These views are limited to short distances (approximately 30m) due to the narrowness of the lane. Views from the west are obscured by a 1.5-storey outbuilding and the high boundary treatment in front of Shore House. Visibility from the west is limited to close range.

Many traditional properties in the area have been retrofitted with weatherboarding and large glazed elevations. The most contemporary examples, Shore House - immediately west of the site - features minimalist render, a slate roof, and dark window frames, whilst Water Edge - 60m to the west - features white render, dark window frames and is a flat roof design.

Part J of the ADG requires that development respects and enhances the existing character and sense of place. This can be achieved by responding to the site context and emulating key architectural features such as openings and articulation. ALP Policy D DM1 and Policy 1 of the EPNP also consider the broader impact on the area.

While the contemporary design is not wholly in keeping with neighbouring properties, it shares characteristics with Shore House. A degree of impact on local character is acknowledged, particularly in terms of visual appearance and sense of place. This impact is mitigated by the limited visibility of the building. In terms of scale, density, massing, height, and layout, no conflicts are identified.

On balance, the proposal complies with ALP Policy D DM1, EPNP Policies 1, 2, 5 and the NPPF.

RESIDENTIAL AMENITY

ALP Policy D DM1 states that development should have minimal impact on the users and occupiers of nearby properties and land by avoiding significant loss of sunlight, privacy, and outlook, as well as unacceptable noise and disturbance. Policy QE SP1 requires that development should contribute positively to environmental quality and does not result in a significantly negative impact on residential amenity.

The dwelling has a more compact massing within its plot compared to the existing building and the design approved by EP/22/24/PL. This results in increased separation distances between the rear of the proposed dwelling and sensitive elevations or areas of neighbouring properties.

A first-floor balcony serving a sitting room will provide oblique views across the front of the dwelling and the parking/turning area of Shore House. Two high-level windows are proposed on the west elevation. There will be an approximate 20m separation between these windows and the garage/outbuilding of Shore House. Given that the frontage of Shore House is already exposed to the public realm, the garage is ancillary in nature, and similar views are already achievable from outside the site, the potential for overlooking is considered minimal. The separation between the balcony and the rear first-floor window of Shore House is approximately 19m, therefore slightly below the 21m recommended in Part H of the ADG but consistent with the existing arrangement.

Limited overbearing impact is anticipated from the western elevation of the proposed dwelling, which aligns closely with the existing building's position. The additional bulk introduced by the cuboid design is located adjacent to Shore House's parking and turning area and is not expected to adversely affect that property.

The proposal maintains the residential amenity of neighbouring occupants in accordance with the NPPF,

ALP policies D DM1 and QE SP1, and the ADG.

INTERNAL SPACE STANDARDS

The proposal will create a three bed, six-person dwelling with a gross internal area of 208 sqm. This exceeds the minimum requirements set out in the Nationally Described Space Standards. All rooms benefit from rooflights and/or full-opening windows, ensuring access to natural light and ventilation. Part H of the ADG requires that all residential development includes private or communal amenity space. The proposed dwelling benefits from high-quality, private amenity space surrounding the building, including a 13m-deep rear garden. The proposal is therefore compliant with ALP Policy D DM2 and Section H of the ADG.

FLOODING & DRAINAGE

ALP Policy W DM2 sets out the requirements for development in areas at risk of flooding, including the need for the sequential test, an FRA, adaptation and mitigation measures, flood warning and evacuation plans and site drainage plans. Policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. These features may include green roofs, permeable driveways, soakaways, water harvesting such as water butts. As a dwelling, the development is considered 'More vulnerable'.

The site is predominately in FZ1 (low risk of flooding) including the footprint of the existing/proposed building, however small sections of the site (northern and eastern edges) are in FZ3 (high risk). A Flood Risk Assessment (FRA) has been submitted, and up to date modelling has confirmed the 2115 1 in 200 flood risk level is 5.82 mAOD, and the majority of the site is at 5.85 mAOD or higher. The lowest point of the site is 5.71m AOD in the south corner of the site where no development is planned. The proposed floor level of the dwelling will be set at 6.09 mAOD and it can be conditioned that no sleeping accommodation be present on the ground floor.

Para 172 of the NPPF requires development at risk of flooding to apply a risk-based approach to proposed development by undertaking a sequential test, then apply the exception test where necessary. Para 175 stipulates the sequential test is not required where a site-specific flood risk assessment demonstrates that no built development in the site boundary, including access or escape routes. The submitted FRA demonstrates this, as such the sequential test, and exception tests are unnecessary in this instance.

There is a low risk of surface water flooding on the majority of site. There is a small section in the north eastern corner of site which has between a 1-in-1000 year and 1-in-100 year chance of flooding up to depths of 300m. Subject to condition, the application would not increase the risk of flooding, in accordance with the NPPF and ALP policies W DM2, W DM3.

TRANSPORT & PARKING

The proposal includes a large driveway, similar in scale to the existing arrangement, capable of accommodating three to four vehicles. In addition, the garage provides space for one car and meets the minimum internal dimensions set out in the ADG. This level of provision is appropriate and complies with the Arun Parking Standards SPD for a dwelling of the size and number of bedrooms.

The road serving the site is not a through-route and provides access only to a small number of dwellings and a nearby mobile home site. It is primarily used by pedestrians, and due to its narrow width, vehicle speeds are low. Vehicle movements, including reversing from the site, are not considered to pose a safety concern.

Policy T SP1 of the ALP requires that new parking spaces include electric vehicle (EV) charging points to encourage sustainable transport and support local air quality objectives. This requirement will be secured

by condition as part of the planning approval.

Provision is made for cycle storage via a dedicated shed. The shed is within the private amenity space of the dwelling, is secure and sheltered, and can accommodate at least two bicycles. This arrangement is acceptable and supports sustainable travel choices.

The proposal is in accordance with ALP Policy T SP1 and the Arun Parking Standards SPD.

BIODIVERSITY NET GAIN

ALP Policy ENV DM5 requires development seek to achieve a net gain in biodiversity and protect habitats on site. The perimeter of the garden benefits from substantial shrubbery and vegetation. Although some areas will be covered in hardstanding others will be developed into planting beds/lawn, there is no discernible difference in the amount of landscaping between the existing and proposed.

This application is declared as a self/custom build where the Environment Act does not require a measurable 10% net gain; however, a gain is still required on site. This can be achieved through incorporation of biodiversity elements such as green walls, bird/bat boxes or other mitigation measures into the landscape, and this will be secured by condition. Subject to conditions the proposal is in accordance with policy ENV DM5 of the ALP.

ENERGY EFFICIENCY & CLIMATE CHANGE

ALP Policy ECC SP2 requires new residential and commercial development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels.

The proposal will be built to the latest requirements of the Building Regulations (BR) and achieve a 'A' classification Energy Performance Certificate. It is aimed that the development will be built with a reduction of 20% in CO₂ emissions over that of the requirements of Part L of the BR. Solar panels are included to the flat roof. Subject to the relevant condition, the proposal accords with relevant ALP Policy ECC SP2.

SUMMARY

The site is within the built-up area where the principle of development is established subject to compliance with other policies in the Plan. Subject to conditions, the proposal accords with the development plan in respects of amenity, space standards, transport, parking, biodiversity and energy efficiency. The limited harm to the appearance of the area does not outweigh the positives mentioned in terms of character of development and overall no conflict with Policy D DM1 is identified. Para 11(c) of the NPPF directs the Council to approve development which is in accordance with the Plan. It is therefore recommended that the application is approved with the following conditions and informatics.

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.

CIL DETAILS

The application is not CIL liable as self-build dwellings are exempt.

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 Plans 240069/ 04
- Proposed Site Plan 240069/ 05
- Ground Floor Plan 240069/ 06
- First Floor Plan 240069/ 07
- Proposed Street Scene 240069/ 10
- Shed/Cycle Store Details - Proposed 240069/ 13

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 3 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing biodiversity enhancements of the site such as, but not limited to bird/bat boxes, insect hotels, enhanced planting and log piles, shall be submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF 2023 and s40 of the Natural Environment and Rural Communities Act 2006 (Priority Habitats & Species).

4 No part of the development shall be first occupied until the car parking and garage space have 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 Arun Local Plan policy T SP1.

5 Prior to occupation of any of the approved dwelling, the applicant or developer shall provide the dwelling with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy T SP1, the Arun Parking Standards SPD and the NPPF.

6 No part of the development shall be first occupied until the sheds suitable for cycle parking, have been provided in accordance with approved Shed/Cycle Store Details - Proposed 240069/ 13. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

7 The development shall be carried out in accordance with the submitted flood risk assessment (ref: Seafield Lodge, Seafield Road, East Preston, Littlehampton, BN16 1NA. Flood Risk Assessment- Prepared by Motion, 25/3/25) and the following mitigation measures it details:

- Sleeping accommodation is to be located on the first floor.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Arun Local Plan policy W DM2.

8 The first floor high-level windows serving the sitting room and balcony on the western elevation shall be fixed shut and obscure glazed (to a level equivalent to Pilkington Level 3 or nearest equivalent standard) below 1.7m from finished floor level, and shall be retained as such in perpetuity.

Reason: In the interest of protecting the privacy of neighbours in accordance of Arun Local Plan policy QE SP1.

9 The approved development shall include energy efficiency measures that reflect the standards applicable at the time of submission and include decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling/the building and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.

10 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1.

11 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

This planning permission relates to a development which consists of no more than 9 dwellings; is carried out on a site which has an area of no larger than 0.5 hectares; and consists exclusively of dwellings which are self build or custom housebuilding.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

12 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

13 INFORMATIVE: To prevent impacts to the amenities of future occupiers of the proposed dwelling/building (DELETE AS APPROPRIATE) and occupiers of neighbouring dwellings, the development should be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', as available from:
<https://www.arun.gov.uk/download.cfm?doc=docm93jijm4n12193.pdf&ver=12201>.