

Recommendation Report for Planning Permission

REF NO: EP/49/21/PL

LOCATION: Cottage Pie
South Strand
East Preston
BN16 1PN

PROPOSAL: Demolition and erection of 1 No. dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The property is a semi-detached 2-bed bungalow adjacent to East Preston foreshore. The dwelling is single storey and is attached to Marine House to the East. Marine House is a 2-storey dwelling. The property includes a narrow garden that has direct access to the beach. The garden is fully paved and includes a raised planting area with a sunken patio. The site is in flood zone 1 and part of the site in flood zone 3.

The proposal is to demolish the dwelling and construct a 2 storey chalet bungalow on a similar footprint. The main external wall will remain detached from Marine House but will be connected at eaves level. In order to allow for future rising sea levels it is proposed to raise the ground floor level by 150mm (see flood risk statement). The ground floor area will be 55m² and the first floor area is 41m².

SITE AREA

192 sqm.

TOPOGRAPHY

Predominately flat.

TREES

None affected by the development.

BOUNDARY TREATMENT

Standard boundary fence with some vegetation planted on the boundary.

SITE CHARACTERISTICS

The site contains a single storey dwelling, with boundary treatment on the side. There is variation in the ground levels. The existing dwelling is moderate in scale in comparison to adjoining dwellings. The existing dwelling incorporates a pitch roof with render finish and white cladding.

The existing dwelling includes 2-bedrooms and is attached to Marine House to the east by the internal gutter only. The main east external wall is detached from Marine House but includes 2 flying freeholds (cupboards). Cottage Pie is accessed via an existing footpath/underpass that runs between Club Walk, Beach House (was Ocean Swell) and Outspan, and has direct beach access. The underpass is accessed via Club Walk.

There is no direct vehicular access to the dwelling. As a member of the Angmering On Sea Estate Residents Association (AOSERA) the property is entitled to car parking permits and visitor permits. The closest car park is at the end of Club Walk.

The existing floor area of the 2-bed dwelling is 45m². The width of the plot measures 5.8m. The length is 36.5m at its maximum. The dwelling runs alongside the long rear garden of Chance Cottage.

CHARACTER OF LOCALITY

The area is part of a residential street comprising a mixed character with detached properties of 1 and 2 storeys in small plots set back from the highway with gardens to front and sides and small rear gardens within an urban environment.

REPRESENTATIONS

Parish Council: No objection

One letter of representation received from the neighbour: To support the redevelopment of the site.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers Drainage: No objection

Environmental Health: No objection / condition has been recommended

POLICY CONTEXT

Designation applicable to site:

Built up boundary

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)
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
WDM2	W DM2 Flood Risk

[East Preston Neighbourhood Plan 2014 Policy 1](#)

Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 2

Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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 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 is considered to comply with relevant Development Plan policies in that the proposed dwelling, due to its design and appearance, is not considered to have any significantly harmful impact upon the established character of the locality, nor have any significantly harmful impact upon the residential amenities of nearby occupiers.

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1, W DM2 of the Arun Local Plan and Policies 1 & 2 of the East Preston Neighbourhood Development Plan.

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 SP1 - Design requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design.

Policy W DM2 sets out Flood risk assessment including sequential test should be provided. Also reports prepared as part of the criteria should take account contingency allowances, taking climate change into account as set out in Flood Risk Assessments: climate change allowances section of the NPPG.

Policy 1 of the East Preston Neighbourhood Development Plan sets out general principles for development within the Parish. Part (i) relates to the scale, density, massing, height, landscape design, layout and materials of development proposals, and how proposals must reflect and enhance the established character of the area.

Policy 2 of the East Preston Neighbourhood Development Plan sets out the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to avoid apartment block development, and protect the view from the beach.

DESIGN AND VISUAL AMENITY

The application seeks to permission to demolish an existing single storey dwelling and re-build a two storey dwelling. The dwelling in terms of design, size and scale is considered to be acceptable as the locality is host to a wide variety of dwelling designs and types, and has a mixed character.

The footprint of the dwelling increases marginally from 45sqm to 55sqm. Due to variation in ground level, the dwelling would be slightly higher than natural ground level. The dwelling would have a contemporary appearance with a pitch roof. A roof extension has been incorporated as part of this proposal. The dormer windows are small scale and the roof light would be built-in flush with the roof. Roof extensions are common feature in the immediate vicinity. External finishes consist of render, slate roof tiles and UPVC windows and doors. South Strand is host to a mix of dwelling styles, materials and designs.

The existing dwelling is single storey and it is less visible from the public domain. However the development would accord with the Arun Design Guide chapter P 'Infill Development' in that the development would respect the established pattern of building height, scale, plot width, boundary treatment and building line along the edge of the plot, and continue the rhythm of the street by repeating key elements such as chimneys, porches, windows and doors. The development is therefore considered to comply with policies D DM1, D SP1 of the Arun Local Plan and Policy 1 & 2 of the East Preston Neighbourhood Plan.

SPACE STANDARDS

The new dwelling would have an internal floor space of 96sqm for two storey dwelling. The nationally described space standards for a 2 bedroomed 2 storey dwelling (79 sqm) therefore the floor area is above the national space standards. The rear garden would be 102sqm metres which would adequately provide sufficient external space for the dwelling and is in keeping with what is found elsewhere in the area and comply with guidance within the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to give rise to significant impact on residential amenities of neighbouring dwellings as a result of the roof form, the siting of the development and its relationship with neighbouring buildings.

The site naturally lower than adjoining dwellings and all properties have staggered layout. The dwelling would share a close relationship with Marine House, and this has been incorporated into the plans to demonstrate there is no impact. Marine House is two storeys, built on higher ground and appears to have a dominating appearance in comparison to the site.

The site is surrounded by dwellings which are much larger in scale and size. In terms of fenestration pattern, the windows in the west elevation (serving living room) have high level windows and window opening in the kitchen as well. There is separation between the site and the property on the western boundary and it should not give rise to any overlooking to private habitable areas of the adjoining

dwelling. There is boundary treatment as well between properties which should provide screening. There are no window openings in the side elevation (first floor level) and only roof lights have been proposed. The dormers on the east elevation facing Marine House that would not cause any overlooking issues, Marine house does not have any widows in the side elevation which serves the habitable area. The rear elevation contains windows which would not afford direct view into habitable areas of the adjoining dwellings. The rear elevation incorporates small terrace area, which are common feature in this locality, a condition will be recommended to provide screening.

Chance Cottage is set back in comparison to the footprints of the proposed dwelling. The gap would be maintained by 1m from the boundary. Also there is significant variation in natural ground level and application site is lower and therefore the development in terms of height should not have any overbearing impact. The Marine House is situated on the western boundary and it appears to be significantly larger in terms of scale and overall height. Comparatively the height of the proposed dwelling is lower in relation to the adjoining dwelling. The impact on residential amenity of neighbouring properties would be acceptable and in accordance with policy D DM1, D DM4 of the Arun Local Plan and design guide.

TRAFFIC

The site does not benefit from off street parking. The development is not considered to have a 'severe' impact upon the operation of the highway network. There is no direct vehicular access to the dwelling. As a member of the Angmering On Sea Estate Residents Association, the property is entitled to car parking permits and visitor permits. The closest car park is at the end of Club Walk.

SUMMARY

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

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

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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:

Site plan
Location and block plan - proposed south street sections - drawing no: 04
Proposed floor plans - drawing no : 02
Proposed elevations - drawing no: 03
Site level plan - drawing no: 06
Design & Access statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM4 of the Arun Local Plan.
- 3 The balcony hereby permitted shall be screened by obscured glazed upto 1.8m high on the eastern and western boundary.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy D DM1 of the Arun District Local Plan.
- 4 Prior to the commencement of the development hereby approved, a scheme to demonstrate that the construction phase of the development will conform with 'Arun District Council Construction Code of Practice: For small developments in Arun', shall be submitted to the Local Planning Authority for approval. The works specified in the approved scheme shall then be carried out in accordance with the approved details.

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