

Recommendation Report for Planning Permission

REF NO: FP/132/25/PL

LOCATION: Berewecke House
4 Berewecke Road
Felpham
PO22 7EQ

PROPOSAL: Conversion of detached dwelling (5 No bedrooms) into semi detached dwellings (1x 2 No bedrooms and 1x 3 No bedrooms). This application is in CIL Zone 4 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to convert an existing 5 bed property into 2 No. properties. This will form 1 x 2 bed and 1 x 3 bed.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the development.
BOUNDARY TREATMENT	The site has 1.8m fencing to the side boundaries, with a low level brick wall to the centre of the site with driveways either side.
SITE CHARACTERISTICS	The site is occupied by a detached two storey property with a gravelled driveway with two dropped kerbs.
CHARACTER OF LOCALITY	The area is predominately residential featuring predominately detached dwellings on larger plots, varied in appearance and design.
None.	

REPRESENTATIONS

Felpham Parish Council - no objection.

1 letter of objection received from a nearby occupier.

- It would set a precedent to convert properties.
- This would devalue properties.
- It would potentially increase the number of residents to 9.
- The provision of parking is not acceptable and there are restrictions on the road.
- Concerns regarding drainage and noise.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion. House prices are not a material consideration and each application is assessed on their own merits.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

Private Sector Housing - Provides general comments regarding escape windows, fire safety etc. Full comments can be viewed online.

Southern Water - The site is not in Southern Water's statutory area for water supply drainage services. Investigations indicate there is capacity in the foul sewer network for the development. A pre-commencement condition is requested for details of foul and surface water to be submitted.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. A drainage condition is not necessary with the proposal seeking conversion only and no additional footprint proposed. Southern Water have confirmed there is capacity for a connection to the foul sewer.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVDM5	ENV DM5 Development and biodiversity
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk

[Felpham Neighbourhood Plan 2019-31 Policy ESD1](#) Quality of Design

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 is considered to comply with relevant Development Plan policies in that it will not result in harm upon design, amenity nor parking

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 -

- (a) 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,
- (b) any local finance considerations, so far as material to the application, and
- (c) 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

The application is not liable for mandatory BNG net gain as it is below the de minimis threshold.

CONCLUSIONS

PRINCIPLE

The proposal is in the built up area boundary where the principle of development is acceptable subject to compliance with relevant development plan policies relating to matters such as design, amenity and parking.

Felpham have a made Neighbourhood Plan (FNDP) with policy ESD1 of relevance.

DESIGN AND VISUAL AMENITY

The proposal seeks to convert the existing 5 bed property on site to form 1 x 2 bed and 1 x 3 bed property.

The conversion requires largely only internal changes. The only external alteration to enable the conversion will be the replacement of a window to a door and window. This is to the northern (front) elevation, with the door forming the new entrance for the 2 bed property. This is a minor change and would not result in harm upon the street scene.

FNDP Policy ESD1 seeks high quality design that is sympathetic to the local design style. The external appearance will remain largely the same apart from one window and it complies with the policy.

Due to the design and layout of the property which features 2 dropped kerbs, no changes would be required to enable separate access to the properties and the conversion can be undertaken with limited visual change and as such, it would not result in adverse harm upon the character or appearance of the area in compliance with ALP policy D SP1, D DM1 and policy ESD1 of the FNDP.

RESIDENTIAL AMENITY/CHARACTER

The conversion requires predominantly internal works and would not result in harm by way of overbearing or overshadowing.

There will be an additional door to the front elevation and as all windows serving the development are in existence at a residential property, it would not result in additional overlooking. As the proposal would serve a 2 bed and 3 bed property, it may result in a higher number of occupiers across the site than compared to existing however the noise and disturbance is not considered to be such that it would result in demonstrable harm.

The road is has detached dwellings and semi-detached dwellings are not typical of the wider area. The addition of a different type of dwelling, due to appearance, would not result in demonstrable harm to the character of the area.

Due to the development proposed, it would not result in harm upon neighbouring amenity in compliance with relevant policy.

PARKING/HIGHWAYS

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the guidance on parking provision.

The ADC Parking Standards for a 2 and 3 bed property in this type of location (Parking Behaviour Zone 2) requires an expected level of 2 car parking spaces on site.

The existing property has a gravelled driveway with 2 dropped kerbs, with each kerb serving an individual property. There is sufficient room to accommodate 2 cars per dwellings and this is shown on the plan and complies with requirements.

ADC Parking Standards require 2 cycle spaces for each 2 and 3+ bed house to be provided on-site and electric vehicle charging points at a rate of 1 charging point per house with a garage or parking space should be provided. An EV charger is proposed to the front of the each property and the plan also demonstrates that cycle storage would be provided to rear garden of each property. This complies with requirements and would contribute towards the use of more sustainable transport methods.

The proposal provides sufficient parking in accordance with ALP policy T SP1.

SPACE STANDARDS

The national guidance advises the following minimum Gross Internal Area (GIA) standards apply:

The dwellings provide a floor space of:

	Requirement	Proposed
2 bed:	79 sqm	98sqm
3 bed:	102 sqm	132sqm

This exceeds requirements and the internal space provided is acceptable.

The supporting text to ALP policy D DM2 refers to the Arun Design Guide SPD which include guidance on external space standards, and the need for applications to have regard to include adequate provision of private external space.

Policy H.04 of the Arun Design Guide SPD ADG) advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states that rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

The garden will be split with a boundary fence so that each property will have their own private garden. These have a depth of 14.5m and a width of 7m and 8m. The external space provided exceeds that specified with the ADG.

The proposal provides suitable internal and external space and complies with requirements.

BIODIVERSITY

To comply with Policy ENV DM5 a biodiversity net gain should be demonstrated on site, this can be achieved through the installation of features such as green roofs, bird/bat boxes or the provision of new habitat on site.

The biodiversity statement provided demonstrates a new planted front border to one of the properties and the siting of bird boxes to the northern elevation of the dwellings. This is acceptable.

Subject to conditions, the proposal would comply with ALP policy ENV DM5.

FLOOD RISK

The site is not located in an area of flood risk. The rear garden boundary is subject to flood risk from climate change however this does not extend across the garden nor the building.

There are no extensions proposed and therefore no alterations to the footprint and flood risk would not be increased as a result of the development.

The property is already connected to the foul sewer network and whilst there would be an additional property, southern water have confirmed there is capacity to connect.

The proposal would not result in adverse harm upon flood risk in the area in compliance with ALP policy W DM2.

SUMMARY

The proposal complies would benefit the housing land under supply (currently 3.41.years) and have a minimal benefit to this situation. This counts in favour of the development. The proposal complies with relevant development plan policies and is recommended for approval subject to 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 (dependent 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:

- Location and Block Plan - 454/01
- Site Plan - 454/05
- Proposed Floor Plan - 454/03
- Existing and Proposed Elevations - 454/04

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 DSP1.

- 3 Prior to occupation, the mitigation as provided in the submitted Biodiversity Enhancements Statement, namely the installation of 2 x bird boxes and a planter should be implemented in their entirety. The details approved shall be retained in perpetuity.

Reasons: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 4 **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.