

Recommendation Report for Planning Permission

REF NO: FP/17/26/PL

LOCATION: Clifton
Clyde Road
Felpham
PO22 7AH

PROPOSAL: Change of use of two flats to 1 dwelling house. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks the change of use and conversion of two flats into one dwelling.
BOUNDARY TREATMENT	Close boarded timber fence surrounding rear garden. Low brick boundary wall to front.
SITE CHARACTERISTICS	Terraced, brick-built building comprising two flats with bay window and front canopy. Tiled roof, front courtyard amenity space and rear garden. No on-site parking.
CHARACTER OF LOCALITY	The area is predominately residential.

RELEVANT SITE HISTORY

BR/86/85	Change Of Use Of Existing Two Storey Dwelling House To Two Self Contained Flats	ApproveConditionally 13-03-85
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BR/86/85 - This application granted planning permission for the subdivision of the existing two-storey dwelling into two separate flats. The current application effectively reverts this change.

REPRESENTATIONS

Felpham Parish Council - No objection.

No other representations.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS**POLICY CONTEXT**

Built-up Area Boundary
 Flood Zone 3 - Undefined
 Low Risk of Flooding from Rivers and Sea - Defended
 High Risk of Flooding from Rivers and Sea - Defended (Climate Change)
 Potential Susceptibility to Groundwater Flood Risk ($\geq 50\% < 75\%$)
 2km Buffer for Site of Special Scientific Interest (Bognor Reef)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

SDSP2	SD SP2 Built-up Area Boundary
HSP1	HSP1 Housing allocation the housing requirement
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM5	ENV DM5 Development and biodiversity

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 the conversion would not result in adverse harm upon the appearance or character of the area nor upon residential amenity. There is conflict with transport/parking policies.

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 relating to parking discussed below.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) as it is below the de-minimis threshold.

CONCLUSIONS

PRINCIPLE

The site is in the Built-up Area Boundary. The principle of development is accepted subject to the consideration of relevant Development Plan policies in accordance with Arun Local Plan (ALP) policy SD SP2.

The proposal results in the loss of one residential unit, which is counter to the strategic objective of ALP policy H SP1 which seeks to increase housing in the district. Neither this policy, nor any other policy, resists the loss of residential units. The proposal is not in conflict with ALP policy H SP1.

DESIGN AND VISUAL AMENITY

The proposal pertains to the change of use of the two existing one-bedroom flats into a three-bedroom dwellinghouse over two floors. There would be an increase in one bedroom, and there are no physical alterations of the property proposed outside of reconfiguration of internal rooms, with the ground-floor bedroom being moved from to first-floor.

The dwelling is in an established residential area and would retain its existing appearance. The change of use would not adversely impact the spatial pattern or character of the area and is in accordance with ALP policies D SP1 and D DM1.

RESIDENTIAL AMENITY

Since the proposal does not alter the physical form of the building, install any new openings, nor change the residential nature of the building, the proposal will have no adverse impacts on neighbouring residential amenity.

The conversion would not result in any adverse impacts upon neighbouring residential amenity and is in accordance with ALP policies D DM1, D DM4, and QE SP1.

SPACE STANDARDS

The existing ground-floor flat meets the internal floor area recommended by the Nationally Described Space Standards (NDSS), but the current first-floor flat falls marginally short. The proposed three-bedroom dwelling would fall slightly short of the minimum 84sqm required for a three-bedroom 4-occupant dwelling over two floors at approx. 82sqm.

The dwelling benefits from an approx. 13m deep rear garden in excess of the recommendations of

Section H.04 of the Arun Design Guide (ADG) and is located only approx. 60m from the shoreline.

While the proposed unit would fall marginally short of the minimum internal floor area suggested by the NDSS, the proposal pertains to the conversion of an existing building, and benefits from adequate on-site amenity space and is in a location that provides easy access to the foreshore which provides significant opportunity for outdoor recreation and enjoyment of open space. It is also material that one of the existing flats is marginally under the NDSS requirements.

The property would benefit from sufficient residential amenity in accordance with ALP policies D DM2 and QE SP1, and the ADG.

PARKING

As two single-bedroom flats within Parking Zone 2, the existing development requires four car parking spaces to comply with the Arun Parking Standards, whereas the proposal would require two. There would be an anticipated reduction in on-street parking as a result of this development.

As a three-bedroom dwelling, the proposal also requires two cycle parking spaces to comply with the Arun Parking Standards, which will be secured by way of condition, likely within the rear garden.

As the dwelling does not benefit from either a driveway or garage, no EV charging point is required.

Subject to the cycle storage condition, the proposal is in accordance with ALP policy T SP1.

ECOLOGY AND BIODIVERSITY

The proposal is exempt from statutory biodiversity net gain under the de-minimis exemption. Given the limited nature of the development and lack of any new or altered external physical elements, it would not be reasonable to seek that the development produces a biodiversity net gain as usually required by ALP policy ENV DM5.

The site falls within a 2km Buffer for a Site of Special Scientific Interest (SSSI), but given the limited nature of the development, no harms to the SSSI are identified in accordance with ALP policy ENV DM1.

FLOOD RISK AND DRAINAGE

The proposal is within Flood Zone 3 and on-site flood risk is anticipated to increase in the future when considering climate change. The site has potential to be at risk of groundwater flooding, though no historic groundwater flood events have been recorded here.

The proposal has been supported by a Flood Risk Assessment which identifies that defended flood depths up to 2115 at the site when accounting for climate change, would not exceed 7cm. In the undefended scenario, which must be considered, flood depths in 2115 could reach 1.07m.

No mitigation measures for flood risk have been proposed, but the proposal does not alter the vulnerability classification of the site, and while it increases the occupancy of the site (two to three bedrooms total), all sleeping accommodation would be moved to the first-floor. This is a net improvement of on-site flood risk.

As a change of use, the proposal does not require a sequential or exception test.

The proposal would not alter existing footprint and as such, would not prejudice existing surface water drainage arrangements.

The development will not give rise to an increase in flood risk nor upon LTCA and is in accordance with

ALP policies W DM2.

SUMMARY

There are no planning policies that resist the loss of residential units by way of amalgamation. The Council cannot meet its housing land supply requirement and it is regrettable that a unit would be lost. The loss of a single unit, however, is minor and would not have such a material impact upon housing supply in which a refusal would be justified. Additionally, the proposed development could be occupied by the same or a greater number of individuals.

The conversion would not result in adverse harm upon the area or amenity and would improve the current shortfall of on-site parking and flood risk. While there is a technical conflict due to the shortfall of a parking space, this does not amount to harm, and the proposal otherwise complies with relevant Development Plan policies and is recommended for approval subject to 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.

CIL DETAILS

This application is not CIL liable.

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:

- Block and Location Plans 2604 P 01 (Feb 2026)
- Floor Plans as Proposed 2604 P 03 (Feb 2026)

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

- 3 No part of the development hereby approved shall be first occupied until two covered and secure cycle parking spaces have been provided on site. 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.

- 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 NPPF.