

Recommendation Report for Planning Permission

REF NO: FP/195/18/PL

LOCATION: 2 Second Avenue
Felpham
PO22 7LJ

PROPOSAL: Detached two storey dwelling (resubmission of FP/127/17/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed dwelling will be sited on a similar front building line to no. 2 but set further back than no. 1. The main aspect of this application is to consider two proposed elements of the approved plans for FP/195/18/PL. The integral garage as approved is proposed to be extended a further 700mm forward of the building line, whilst to the rear a single storey extension is proposed. This would be set in 300mm either side of the approved rear projection to a total depth of 3.4m and a width of 6.1m. the over all height would be 2.2m to the eaves and 3.4m to the pitch central to the rear elevation. The existing garden outbuilding situated at the end of the garden will be demolished.
SITE AREA	0.0855 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	11.7 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Existing 1m brick wall with close boarded fencing inserts to the very front. This is part supplemented with hedging of 2-2.5m. There is then a grassed area before a further 'front' boundary comprising 1.7-1.8m close boarded fencing. Similar height close boarded fencing to the boundary with no. 1 Second Avenue. 1.8-1.9m high close boarded fencing to the rear.
SITE CHARACTERISTICS	Existing side garden comprising of children's play equipment. Separately fenced off single storey pitched roof summerhouse at the end of the garden.
CHARACTER OF LOCALITY	No. 2 Second Avenue is a two storey detached dwelling with white rendered walls at ground floor, timber cladding above and a red tiled roof. Front covered but open porch constructed from timber and brick with a red tiled roof. Existing single storey rear extension with further garden to the rear, a boat shed and a small domestic shed.
	Private residential estate comprising of detached properties of

various styles and designs.

No. 1 is a detached two storey dwelling with a single storey front projection. It has a ground floor utility room window and a first floor bathroom window on the affected side. Ground floor rear windows are obscured by a rear single storey extension. The first floor has a rear facing bathroom. No. 1 has an eaves height of 4.8m and a ridge height of 7.65m.

No. 2 has three ground floor flank facing windows and 3 first floor flank facing windows. These are understood to be secondary windows. The single storey extension has a further two large windows which face the application site and serve a kitchen/utility area. No. 2 has an eaves height of 5.25m and a maximum ridge height of 8m.

21 First Avenue to the rear is a bungalow.

RELEVANT SITE HISTORY

FP/160/18/HH	Single storey front garage extension, first floor rear extension with juliet balcony & 1 No. new first floor landing window to side elevation (resubmission following FP/261/17/HH).	ApproveConditionally 21-08-18
FP/109/18/NMA	Non-material amendment following the grant of FP/127/17/PL relating to approved plans for proposed plot plan, ground floor plan, elevations, site & location plans & street scene elevation.	Approve 08-06-18
FP/261/17/HH	Single storey front garage extension & first floor rear extension with juliet balcony.	ApproveConditionally 05-03-18
FP/127/17/PL	Proposed detached two storey dwelling	ApproveConditionally 25-08-17
FP/266/07/	Outline application for proposed 2 storey 4 bedroom detached house and new vehicular access.	ApproveConditionally 27-02-08

Outline planning permission was granted in February 2008 for a 2 storey, 4 bedroom detached house with a new vehicular access. This was granted by the Development Control Committee following a site visit and subject to an additional planning condition requiring that the gap between the southern elevation of no. 2 Second Avenue and the northern elevation of the proposed dwelling be not less than 3m. It is

not possible to apply a similar condition to the new application as the layout is not a reserved matter.

A full planning application for the approval of a 4 bed dwelling under planning application FP/127/17/PL was approved at committee July 2017.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council Object - the scheme is not in keeping with the street scene and overdevelopment of the site.

Ward Cllrs Edward & English raise following comment based on an objection to the application:

1. The conditions agreed by officers must all stay in place 1 - 10 as noted in the original application.
2. As this appears a new application does it still conform with the new local plan.
3. No planning notices were found in the area.
4. A plan correction request was formally made by the officer Mr Simon Davis 18/7/2017 does not have appeared done?
5. The building is certainly not in keeping with the street scene and gives a very overcrowded dense appearance.
6. Not in keeping with the Neighbourhood Plan in regards to infilling.
7. Outbuilding is very large and oversized for the intended use and could clearly have other uses.

4 letters of objection for neighbouring occupiers as follows:

- Direct impact to 1No. Second Avenue
- The proposed dwelling will make for an intrusive and overbearing impact, destroying sense of space, reducing the light and affecting the privacy
- Narrow appearance and impact on the street scene
- Plans incorrect - Shergar (dwelling to south) is not shown with its side extension
- Summer house occupation - by family friend or relation.
- Building is out of character with the area
- The new dwelling will overlook the garden serving 21st First Av, there is a clear line of sight into rear bedrooms serving 21st First Av.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council comments are noted. The responses are considered in the conclusion section of this report.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

Environmental Health

CONSULTATION RESPONSES RECEIVED:

WSCC Highways had no further comment to that raised under FP/127/17/PL. Supported subject to

condition.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary; and
Bognor No. 3 Tree Preservation Order.

DEVELOPMENT PLAN POLICES

DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
HDM1	H DM1 Housing mix
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
SDSP2	SD SP2 Built-up Area Boundary

Felpham Neighbourhood Plan 2014 POLICY ESD1	Design of new development
Felpham Neighbourhood Plan 2014 POLICY ESD11	Increasing the energy efficiency of our buildings
Felpham Neighbourhood Plan 2014 POLICY ESD5	Surface water management
Felpham Neighbourhood Plan 2014 POLICY ESD10	Design details
Felpham Neighbourhood Plan 2014 POLICY ESD8	Building design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring;

Kingston; Littlehampton; Rustington; Walberton; Yapton.

The relevant Felpham Neighbourhood Plan has been considered in this report.

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 would have no significant adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have a significant adverse impact upon the established character of the surrounding area.

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 principle for a 4 Bedroom dwelling was considered and agreed as acceptable under planning application FP/127/17/PL, with conditions that apply equally to this application. The officers assessment will look at the amendments to the scheme and assess the impact of these upon the design and character of the street scene and the amenity impact of neighbouring occupiers.

The officers note the objections raised by neighbouring occupiers against a further dwelling in this location. The principle of development has been discussed and agreed under the previous application FP/127/17/PL therefore the principle of development is acceptable.

DESIGN AND CHARACTER OF THE AREA:

Policy D DM1 of the Arun Local Plan 2011-2031 (ALP) requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

Felpham Neighbourhood Plan policy ESD1 states that: "New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location."

It is also necessary to consider policy ESD8 which includes the following: "The design of new buildings must reflect the design principles of their time so that the richness of varied character would continue and would be extended into the future."

In addition, policy ESD10 states that: "The following items must be considered early in the design process and integrated into the overall scheme:

- bin stores and recycling facilities
- cycle stores
- meter boxes
- lighting
- flues and ventilation ducts
- gutters and pipes
- satellite dishes and telephone lines"

Although the scale of the dwelling would increase on the overall plot, the additional development to that already approved under FP/124/14/PL is modest in siting and appearance. The impact in the principle elevation is acceptable as it would not project beyond the footprint existing of neighbouring occupiers, whilst the rear addition is considered as subservient in scale and proportion to the elevations as approved.

It is therefore considered that the proposal is in accordance with Local Plan D DM1 and with policies ESD1 and 8 of the Neighbourhood Plan. The proposal remains not to fully comply with policy ESD10 in that although the position of cycle and bin stores are shown, the other details are not. However, the missing details are not considered to be necessary at the planning stage and would instead be included at the Building Regulations stage. It is not considered that non-compliance with this policy should result in a refusal.

RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 policy D DM1 requires that the Council have regard to certain aspects when considering new development including:

(3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." None of the Arundel Neighbourhood Development Plan policies refer to residential amenity issues.

However, regard should be had to paragraph 127 of the NPPF which states that "Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

There is no considered loss of privacy to existing properties, namely the host premises no.2. A 45 degree measurement was taken from the rear window closest the boundary, this line projected beyond the corner of the new footprint layout allowing for a proposed extension that would not cut light from the habitable space serving no.2.

The siting of the proposed dwelling has been designed to mitigate any further harm to the detriment of neighbouring occupiers. Its distance from nearby dwellings will prevent there from being any demonstrable harm caused by loss of light.

It is therefore considered that the proposal is in accordance with policy D DM1 of the ALP.

SUMMARY:

It is considered that this proposed infill development would provide an additional dwelling without compromising the character of the area or the amenities of neighbouring properties. Accordingly, it is recommended that permission be granted 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.

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 Site/Roof Plan - Rev C (27/07/18);
Existing Plot Plan - Rev A (27/07/17);
Proposed Plot Plan - Rev F (27/07/18);
Proposed Ground Floor Plan - Rev H (27/07/17);
Proposed First Floor Plan - Rev D (27/07/18);
Proposed Elevations - Rev F (27/07/18); and

Existing Street Elevation Rev - 10/05/2017
 Proposed Street Elevation Rev C (27/07/18).
 Outbuilding Elevations REV - 13/06/2017

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 development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety in accordance with policy D DM1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because the access goes to the heart of the planning permission.

- 5 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with the National Planning Policy Framework.

- 6 The proposed first floor bathroom, en-suite and stair windows on the northern and southern side elevations of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order) the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policy D DM1 of the Arun Local Plan.

- 8 The integral garage shall not be used for any other purpose other than as a private domestic garage in connection with the residential use of the approved dwelling.

Reason: To ensure the provision of adequate off street parking space in accordance with policy D DM1 of the Arun Local Plan.

- 9 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.

- 10 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.