## PLANNING APPLICATION REPORT

**REF NO:** **FP/241/10/**

**LOCATION:** 21 Uppark Way
Felpham

**PROPOSAL:** 1no. bungalow & associated parking & external works (re-submission following FP/155/09/)

### SITE AND SURROUNDINGS

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| DESCRIPTION OF APPLICATION | This application is to construct one new bungalow on land to the rear of 21 Uppark Way (off Fittleworth Drive). This is a resubmission following refusal of FP/155/09. |
| SITE AREA | 0.02 hectares |
| RESIDENTIAL DEVELOPMENT DEN | 50 dwellings per hectare |
| TOPOGRAPHY | The site is up on raised ground from the footpath on Fittleworth Drive and there is a significant drop down to Worms Lane. |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | Fencing along the footpath. |
| SITE CHARACTERISTICS | The rear garden and garage to the site are located adjacent to the end of Fittleworth Drive. In the rear garden is a garage opening onto Fittleworth Drive. Dwelling is a bungalow, brick and painted cream. Fibre roof. To the rear of the site is a built-up grassed piece of land. |
| CHARACTER OF LOCALITY | Uppark Way is predominantly bungalows. 23 and 24 Fittleworth Drive are semi-detached houses an 25 - 28 is a terrace of houses with the first floor level tiled and grey roof fibre tiles. |

### RELEVANT SITE HISTORY

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| FP/155/09/ | Construction of 2 chalet style bungalows with detached garages | Refused 22-12-2009 |

### REPRESENTATIONS

**Representations received:**

Felpham Parish Council

Objection

The site is now classified as Greenfield land. It would be out of keeping with the existing street scene. Overdevelopment of the site and loss of visual amenity and open space. Concerns with regard to drainage residents in the area say there are existing problems with foul water back flows as the site slopes indicating surface water run off. Parking concerns at the removal of the existing garage. Request the Development Control Committee visit the site.

13 Letters of Objection
The building will be in Fittleworth Drive and there is not enough room for a bungalow. Is it necessary as there are 700 houses being built in Flansham Lane. It would alter the character of the area. Parking is an existing problem, the loss of the garage and the extra bungalow will make this worse. There are problems with the sewers. Neighbours have not been consulted. Permission was refused for development in Worms Lane and this site is adjacent to Worms Lane. The owner of the site is still building an extension which he started 2 years ago and it is an eyesore. There is a public sewer in the area and no building can be within 3m of the sewer. The orange notice stated date for comments was 26th January and the website said 13th January. Affects rural views. The site is used as a dumping ground. A tree stump is all that remains of a tree. The proposal is not significantly different from the last refused application. The grass bank does not belong to the garden of 21 Uppark. How would the occupants of the existing dwelling have deliveries as the area will be fenced off. The plans show east and west elevations wrongly.

**Comments on Representations received:**

Noted. The site is not designated public open space, the changes to PPS3 Housing described below explains the status of garden land. The site is a visual link through to Worms Lane and the countryside. Ownership of land is not a material planning consideration as development could not take place without the owners authority. However, the applicant has served notice of the owners of 21 Uppark Way as the owner of the site. The site notice was posted in accordance with the council's proceedure and the web date amended accordingly. Southern Water have commented that the exact location of the sewer on site must be located and no development is to take place within 3m either side of the sewer.

## CONSULTATIONS

Southern Water Planning
WSCC Local Development Divis.
Environment Agency

**Consultations responses received:**

Environment Agency - The FRA is acceptable provided that it is implemented then no objection.

County Highways This Authority has been previously consulted therefore comments as previously. A new crossover is being proposed. This must not exceed 4.5m in width and suitably drained. The parking is within the maximum standard. The crossover requires visibility splays of 2m.

Southern Water - No objection in principle. There is a public sewer on site which will need to be located exactly with no development to take place within 3.5m either side of the sewer.

**Comments on Consultation responses:**

Comments noted

## POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary

Open Plan Condition

**DEVELOPMENT PLAN POLICIES**

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| Arun District Local Plan: | GEN7 | The Form of New Development |
| | GEN12 | Parking in New Development |

**PLANNING POLICY GUIDANCE**

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| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |

**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

**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 conflict with relevant Development Plan policies in that it would be a visual intrusion and out of character with 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 site lies within the built-up area boundary where development is acceptable in principle subject to normal development control considerations. The estate is subject to an open plan condition. The proposal is a revised application following refusal of FP/155/09 for 2 chalet bungalows. This application is one new bungalow.

PPS3
While the proposed dwellings would be located within the built up area where the principle of development is accepted, garden land has now been reclassified in Annexe B of PPS3 (June 2010) and is no longer classified as Brownfield/previously developed land. This reclassification is an attempt to stem the flow of loss of garden land and prevent the much publicised garden grabbing. While each application is judged on its own merit such development may have a possible impact upon the character of the area, the acceptability of which must be considered. It should be noted that, whilst a presumption in favour of garden land development is no longer pursued, PPS3 does not advocate taking a negative stance towards garden land development. The intention is for a neutral view to be adopted and applications for development in garden land should be looked at on a case by case basis and judged on their overall merits. The core aim of

PPS3 is to achieve development that is better integrated with its surroundings and does not produce excessive density and development. The PPS states that good design consists of good access to community, green and open amenity and recreational space as well as private outdoor space such as residential gardens. In this case the proposal is quite cramped and would require the loss of open space to the rear of the existing dwelling and it is therefore considered that the proposal does not conform to PPS3.

VISUAL AMENITY
Whilst the dwelling address is in Uppark Way, the proposal is within and would affect Fittleworth Drive. Fittleworth Drive consists of bungalows and 2-storey dwellings. It is a cul-de-sac and at the end of Fittleworth Drive is a piece of greensward, which contributes to the character of the area. To the rear of this site is Worms Lane which is on a lower ground level and is very rural in character with fields beyond. The loss of this space would be a visual distraction on the estate which was designed to include open space reinforced by the layout of the estate in a non-traditional pattern more reminiscent of a Radburn design. Currently the greensward is a focal point when approaching Fittleworth Drive. This openness is an important feature in the gateway to the countryside beyond. The proposal is for one bungalow. The proposal includes two car parking spaces. The site is on land raised up by approximately 1m from the ground level. There were no details provided, to show the proposed finished ground level. From the indicative street scene it would appear that some ground levelling will take place to create a bungalow at the same height as the existing bungalow. It is considered that the proposal would be visually out of character with the surrounding development, particularly as the gable end would be facing the road with the front entrance doors to the side, and hard surface of the parking spaces would dominate the vista in Fittleworth Drive. This would represent a loss of visual amenity.

RESIDENTIAL AMENITY
As stated above the dwellings have been designed to avoid any potential overlooking with no first floor side windows. Therefore it is not considered that the proposal would result in any significant loss of residential amenity.

HIGHWAY CONSIDERATIONS
County Highways has raised no objections, however, they require details of visibility splays to be submitted.

FLOOD ISSUES
The Environment Agency has raised no objection subject to conditions as they are satisfied with details in the Flood Risk Assessment.

SUMMARY
From the submitted plans it is unclear whether the site consists of all residential back gardens, or whether it is part of the open space which should be retained. It is also not clear what ground level is proposed for the development. The proposal is out of character with the surrounding development therefore it is recommended that the application is refused for the following reasons.

**RECOMMENDATION**

**REFUSE**

1 The proposal is unacceptable in that it does not relate sympathetically in design, form and scale with the existing built and natural environment of the locality. On the basis of

the information available the Local Planning Authority is not satisfied that the proposed development can be undertaken in a satisfactory manner. The application does not contain details of the ground level. It therefore conflicts with policies GEN7 of the Arun District Local Plan.

2 The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of PPS3 and the Council's interim affordable housing policy adopted on 18th August 2010.