Recommendation Report for Planning Permission

REF NO: **FP/25/13/**

LOCATION: Fleet Cottage
The Ridgway
Bognor Regis

PROPOSAL: Demolition of existing dwelling and erection of new property together with a new single car parking space and carport/workshop in rear garden

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 365 sq metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	500mm high picket fence to front boundary. 1.8 metre high timber fence side and rear boundaries. Flank wall of garage on part of north boundary.
SITE CHARACTERISTICS	Detached, two storey dwelling constructed from brick (painted white) with half-hip, tiled roof. Bay window to front elevation. Grassed shared driveway to side serving Fleet Cottage and Thursley. Allotments to rear.
CHARACTER OF LOCALITY	Predominantly residential / coastal. Property is located opposite a village green, around which are detached two storey dwellings of various character and design. Beach is located approximately 150 metres to the south.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

2 letters of Objection:-
- Object to any change facing the green;
- Front [of building] is attractive and consistent with pre-war housing surrounding green;

- [We] have avoided change to front of house (facing green);
- Area of land edged blue on the applicants' plans is wholly owned by Felpham Beach Garden Estate Ltd.

Comments on Representations received:

Comments noted.

The proposed replacement dwelling will be an identical in scale, form, design and materials to the existing dwelling with regard to the front elevation facing the green. One off-street parking space is to be discreetly sited in the front garden to the side of the dwelling. Driveways and off-street parking is a feature of the surrounding area and a grassed/soft landscaped area will be retained to the front.

CONSULTATIONS

Engineering Services Manager
WSCC Strategic Planning

Consultations responses received:

County Highways: The replacement dwelling will be accessed off a private road not maintained by WSCC. Whilst there is a lack of turning within the site, it is acknowledged that the Ridgeway will be relatively lightly trafficked and that there was previously no parking. Consequently, there would potentially be a decrease in on-street parking and on that basis, no concerns are raised.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

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.

The Development Plan consists of the Arun District Local Plan 2003.It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally

adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an 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 application site is located within the built-up area boundary where the principle of new development is acceptable, in accordance with policy GEN2 of the Arun District Local Plan.

DESIGN AND VISUAL AMENITY
The application seeks consent to demolish the dwelling and erect a replacement two storey dwelling, designed to meet Code Level 4 of the Code for Sustainable Homes. The proposal is identical in scale, form and design to application FP/17/13, which granted consent for two storey alterations and detached carport to rear, albeit this application seeks to demolish the building and re-construct a replacement dwelling.

The existing dwelling is a detached two storey dwelling constructed from brick, painted white, with tiled, half hip roof and bay window to front elevation. To the rear, there is a detached garage of no architectural merit, which is to be demolished as part of the proposed scheme.

The replacement dwelling would occupy the same footprint as the existing dwelling at the same height and width (7.8 metres to the ridge and 7.2 metres maximum width). This is with the exception of the rear elevation of the dwelling, which would project a further 3.3 metres under a pitch, gable roofline, clad in cedar or treated timber. The height to the ridge would be 7.8 metres. The overall footprint of the dwelling would increase by 38 sq metres. It is proposed to insert 3no. solar panels on the south facing roofslope and insert bi-folding glazed doors on the south and east elevations at ground floor level, in order to maximise passive solar gain. The replacement dwelling would be constructed from a highly insulated timber frame that will exceed current Building Regs. A condition is recommended to secure samples of the timber cladding and roof tile.

From the front (west) elevation, the building would be identical to the existing i.e. it would have a

half hip tiled roof with bay window at ground floor level and be constructed from brick, painted white. As such, the character and visual impact from the streetscene would be largely unaltered. This is with the exception of a new parking bay proposed in the front, adjacent to the north boundary, which would be served by a shared vehicular access to the side of the dwelling. This is not considered to harm the visual amenity of the area, as garages and driveways are a feature of the surrounding area.

To the rear, it is proposed to re-align the north boundary and erect a detached carport constructed from hardwood with a shallow, mono pitch roof and timber louvre panels (2.6 metres reducing to 2 metres). The carport would be sited adjacent to the rear (east) boundary, beyond which are allotments. In terms of scale, it would appear visually subordinate to the host dwelling, and the contemporary design is in keeping with the modern design of the rear elevation of the replacement dwelling.

RESIDENTIAL AMENITY
The impact on residential amenity is identical to the scheme approved under application FP/17/13/.

The proposed rear extension will project 3.3 metres into the rear garden under a pitch, gabled roofline. A separation distance of 7 metres will be retained to the neighbouring property to the south and 4 metres to the north. No additional windows or openings are proposed in the flank elevations at first floor level, with the exception of 1 rooflight in the south facing roofslope. This will serve a bathroom. To the rear, the site is adjoined by allotments. The proposal will therefore not adversely impact the amenities of neighbouring properties through overlooking, or loss of privacy and daylight.

The proposed detached carport will abut the rear boundary. Owing to its siting and scale, there will be no adverse impact on the residential amenities of either adjoining neighbour at Thursley to the north or Timberley to the south.

PARKING AND ACCESS
It is proposed to provide 2 off street parking spaces to the front of the dwelling and the detached carport to the rear. This will improve the level of off-street parking, as none is currently provided. The County Highways Authority notes there is no turning within the site, but The Ridgeway is lightly trafficked and the proposal would potentially result in a decrease in on-street parking.

SUSTAINABILITY
As noted, the building is designed to meet Code Level 4 of the CSH. The replacement dwelling incorporates measures to improve the energy performance pf the dwelling, reduce water consumption and renewable forms of energy:
-grey water recycling and rainwater harvesting;
- solar PV on south facing roofslope;
- passive solar gain;
- high performance glazing;
- super insulation and low energy lighting.
The proposal is consistent with national planning policy, which emphasises a presumption in favour of sustainable development (paragraph 14) and approving development that is sustainable without delay (paragraph 15).

SUMMARY

In summary, the proposed replacement dwelling is acceptable in design and visual amenity terms, and would have no adverse impact on residential amenity. The proposal would represent a net gain in terms of off-street parking provision and is designed to be highly energy efficient and sustainable, achieving Code Level 4 of the CSH. It is therefore recommended that consent is granted, subject to the conditions outlined below.

HUMAN RIGHTS ACT

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 to 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 (Neutral) 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).

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: drawing 1251/EX/001 Site Location Plan, drawing 1251/PL/100 Site Plan, drawing 1251/EX/002 Block Plan, drawing 1251/PL/107 Proposed Site Block Plan, drawing 1251/EX/003 Existing Ground Floorplan, drawing 1251/EX/004 Existing First Floorplan, drawing 1251/EX/005 Existing Loft Layout, drawing 1251/EX/007 Existing Elevations, drawing 1251/EX/008 Existing Elevations, drawing 1251/EX/006 Existing Roofplan, drawing 1251/EX/009 Existing Section AA, drawing 1251/PL/101 rev A,

drawing 1251/PL/102 rev A, drawing 1251/PL/104 rev B, drawing 1251/PL/105 rev B, drawing 1251/PL/103 Proposed Roofplan, drawing 1251/PL/106 Proposed Section AA, received 18 February 2013, drawing drawing 1251/PL/109 rev A Carport Elevations, received on 26 March 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed replacement dwelling and colour for the treated hardwood timber carport have been submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the agreed details and retained as such thereafter.

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 GEN7 of the Arun District Local Plan.

4 The dwelling should not be occupied until the parking spaces and carport have been constructed in accordance with the approved details, and retained as such thereafter.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highway in accordance with policy GEN7 of the Arun District Local Plan.

5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

6 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.