

Recommendation Report for Planning Permission

REF NO: FP/29/20/PL

LOCATION: Roundle House  
59 Flansham Lane  
Felpham  
PO22 6AQ

PROPOSAL: Conversion/amalgamation of 2 No. flats into 1 No. dwelling house. Includes demolition of external rear access staircase; a new front porch extension & front ground floor bay window with canopy roof over linking front entrance & bay windows each side & alterations to side & rear windows at ground & first floors.

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|-----------------------|
| SITE AND SURROUNDINGS |
|-----------------------|

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| SITE AREA                  | 0.07 hectares.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| TOPOGRAPHY                 | At the front the land gently slopes up from the road toward the property (east to west). The rear garden area is predominantly flat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| TREES                      | There are a number of trees along the northern boundary of the site within the designated open space (Flansham Lane Park). There is a tall fir tree, fruit trees, bushes and hedges within the gardens to the property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| BOUNDARY TREATMENT         | The frontage of the site abuts the footway/highway and has a low stone boundary wall. The northern and southern side and western rear boundaries of the site consists of close boarded timber fence panels.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| SITE CHARACTERISTICS       | The site consists of a detached, two storey property of inter/post-war construction, with painted render elevations and a tiled hipped and cat slide roof. It is located on the western side of Flansham Lane, between Felpham and Flansham, and within the Built-Up Area Boundary. It is also within the Felpham Neighbourhood Plan Area. The site is adjacent to a designated open space/park (Flansham Lane Park). The site has a front garden, driveway, two single storey garages and a rear garden. The property was converted in the 1950s from a single dwelling into two flats. No. 59 is accessed via the front entrance door. No.61 is accessed via the rear external staircase. The site is in Flood Zone 1 (lowest risk of flooding). |
| CHARACTER OF LOCALITY      | This part of Flansham Lane is predominantly residential and the area has a sub-urban character.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

BR/74/51  
Conversion into 2 flats  
Approved  
28/04/1951

The property was converted in the 1950s from a single dwelling into two flats. It was originally constructed as a single dwelling.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Felpham Parish Council

No objection.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

### CONSULTATION RESPONSES RECEIVED:

None.

### COMMENTS ON CONSULTATION RESPONSES:

Noted.

## POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary

Felpham Neighbourhood Plan Area

Adjacent designated open space/park

Flood Zone 1

### DEVELOPMENT PLAN POLICIES

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

|        |                                                         |
|--------|---------------------------------------------------------|
| SDSP2  | SD SP2 Built-up Area Boundary                           |
| HSP1   | HSP1 Housing allocation the housing requirement         |
| DDM1   | D DM1 Aspects of form and design quality                |
| DDM4   | D DM4 Extensions&alter to exist builds(res and non-res) |
| DSP1   | D SP1 Design                                            |
| QESP1  | QE SP1 Quality of the Environment                       |
| TSP1   | T SP1 Transport and Development                         |
| ENVDM4 | ENV DM4 Protection of trees                             |

[Felpham Neighbourhood Plan 2014 POLICY ESD9](#) Tree protection

### PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

### SUPPLEMENTARY POLICY GUIDANCE:

**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Felpham Neighbourhood Plan (1) was made in July 2014. A revised Felpham Neighbourhood Plan (2) has just undergone pre-submission consultation (reg.14). As such, it is considered to be an emerging Neighbourhood Plan and reference will be made to it 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 an acceptable impacts on visual amenity, residential amenity, parking and trees. The application would comply with Local Plan policies SD SP2, D SP1, D DM4, D DM1, QE SP1, T SP1 and ENV DM4 and policy ESD9 of the made and emerging Felpham Neighbourhood Plans.

**OTHER MATERIAL CONSIDERATIONS**

The proposal would result in the loss of 1 housing unit, which would be contrary to housing supply policy H SP1 of the Arun Local Plan, which seeks to increase housing supply in the district. However, given that the loss of one unit would not be significant in relation to the overall housing land supply and it would have no material impact on housing supply this is a material consideration which warrants a decision in conflict with the Development Plan.

**CONCLUSIONS****PRINCIPLE:**

Arun Local Plan (ALP) policy SD SP2 states that development should be focussed within the BUABs, subject to consideration of other policies within the Development Plan.

The site is located within the Built-up Area Boundary. As such, in accordance with ALP policy SD SP2, development in this location is acceptable, in principle, subject to consideration of all other policies.

## LOSS OF HOUSING:

Housing supply policy H SP1 of the ALP sets out the housing requirement for the District, stating that within the Plan period 2011-2031 at least 20,000 new homes will be accommodated.

The LPA currently has a 2.9 year housing land supply (i.e. below the required 5 year HLS).

The proposal would result in the loss of one housing unit and, whilst this is regrettable, the loss of one unit would not be significant in terms of the overall land supply and would have no material impact on housing supply. As such, whilst the proposal would not accord with Local Plan housing policy, which seeks to increase supply, its impact would be acceptable in this respect.

## DESIGN & IMPACT ON VISUAL AMENITY:

Paragraph 127 of the NPPF details the design requirements for new developments, including that developments should function well, are visually attractive and sympathetic to local character and history, have an appropriate mix of development including green and public space and create places that are safe, inclusive and accessible.

ALP policy D DM4 sets out the policy with regard to alterations and extensions to existing (residential and non-residential) buildings. This includes that they appear visually subservient to the main building and sympathetically relate to and are visually integrated with the existing building in terms of siting, scale, form, massing, design and materials.

The proposed extensions/alterations to the front include a new front entrance porch, new front bay window to match existing on the other side of the entrance door, and an open-sided canopy linking the front entrance and bay windows either side. These would be acceptable in terms of scale, form, design and materials. The addition of a new bay window to match the existing bay window the other side of the entrance door would provide the front elevation with greater symmetry and a more balanced appearance. The hipped roof form of the proposed canopy would reflect the hipped roof form of the main house. The application form/D&A Statement confirms that the proposed materials for these extensions/alterations would match those of the existing building (rendered finish walls, tiled roof etc.). They would therefore sympathetically relate and appear visually integrated with the host dwelling. The proposed changes to the front elevation would have an acceptable impact on the street scene.

The proposed alterations to the side and rear openings at ground and first floor level would include the resizing of one ground floor window on the north side elevation, the infilling of one ground floor window on the south side elevation, two new rooflights on the north side roof slope, and new windows at ground and first floor level on the rear elevation. The alterations to the fenestration would be minor and would have an acceptable impact on the appearance of the building.

The proposed demolition of the external rear access staircase would remove what is likely to be a non-original feature from the building and could be considered to improve the appearance of the building at the rear.

The proposed front porch, bay window and canopy extensions and other alterations would have an acceptable impact on the appearance of the building and the character of the area, in accordance with ALP policies D SP1, D DM1 and D DM4.

## RESIDENTIAL AMENITY:

Paragraph 127 (f) of the NPPF states that development should have a high standard of amenity for existing and future users.

Policy D DM1 of the ALP that new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy QE SP1 states that the Council requires all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity. ALP policy D DM4 sets out the policy with regard to alterations and extensions to existing (residential and non-residential) buildings. This includes that extensions and alterations do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

The proposed front porch, bay window and front canopy extensions would be of a siting, scale and form which would mean they would not result in any harmful impacts on the outlook and light levels to neighbouring occupants at no.57 Flansham Lane.

The two new rooflights on the north side roof slope would serve bedrooms (i.e. habitable rooms). However, they would face toward a public open space (Flansham Lane Park) rather than a residential property and would be angled, so these new openings would not result in any loss of privacy or overlooking to neighbouring occupants.

The proposed infilling of one ground floor window on the south side elevation and the demolition of the external rear access staircase with glazed conservatory section at first floor would actually reduce the potential for overlooking and loss of privacy to the occupants at no.57.

The proposed extensions and other alterations would have an acceptable impact on neighbour's residential amenity, in line with ALP policies D DM1, QE SP1 and D DM4.

## PARKING & HIGHWAYS:

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Policy 106 refers to maximum parking standards for residential and non-residential development.

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

Arun District Council has recently adopted its own Parking Standards SPD (Jan 2020).

The ADC parking standards for a 2 bedroom flat in this type of location (Parking Behaviour Zone 2 ) requires a minimum of 2 car parking spaces to be provided on site. As such, the existing 2 x 2 bedroom flats would require a minimum of 4 car parking spaces on site. The parking standards for a 4 bedroom property require a minimum of 3 car parking spaces to be provided on site. As such, and as confirmed by the standards, the proposed single dwelling would not typically create more car parking demand than the existing two flats. The parking provision would remain as existing (minimum of 4 on-site spaces, in the 2 garages and driveway). The provision of at least 3 spaces would accord with the parking standards for a single 4 bedroom property.

**TREES:**

Paragraph 170 of the NPPF seeks to contribute to the natural and local environment by recognising the intrinsic character and beauty of the countryside, including trees and woodland.

BS 5837 : 2005 sets out standards for Trees in Relation to construction.

Policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or contributing to local amenity.

Policy ESD9 of the current Felpham Neighbourhood Plan states that development that results in damage or loss of ancient trees or trees of arboricultural or amenity value will not be permitted, and that development proposals must be designed to maintain these types of trees.

Policy ESD9 of the emerging Felpham Neighbourhood Plan has been modified to advise that development that results in the damage or loss of trees of arboricultural and amenity value or loss of hedgerows or priority habitat will be refused, unless the need for and benefits of development in that location clearly outweigh the loss.

There are a number of trees along the northern boundary of the site within the designated open space (Flansham Lane Park). These are at sufficient distance, and the nature of the proposals (i.e. minor extensions and alterations) means, these nearby trees would not be affected.

There is a tall fir tree, fruit trees, bushes and hedges within the gardens to the property. The trees are not protected by reason of a Tree Protection Order (TPO) or being in a Conservation Area. Neither are they of particular amenity value, given their positioning at the rear of the site and thus lack of visibility in views within the street scene. The trees are not third party either so there is no specific duty to protect in this respect. The proposed demolition/removal of the rear access staircase and any storage/use/passage of construction materials and equipment to facilitate the extensions and alterations has the potential to impact the Root Protection Area and canopy of the fir tree in the rear garden. However, it is not considered necessary to protect this/or other trees on the site, and a planning condition requiring a Tree Protection Plan is not considered necessary in this particular case.

**SUMMARY:**

The proposal would result in the loss of 1 housing unit, which would be contrary to housing supply policy H SP1 of the Arun Local Plan, which seeks to increase housing supply in the district. However, given that the loss of one unit would not be significant in relation to the overall housing land supply and it would have no material impact on housing supply, the proposals are considered acceptable in this respect. This is a material consideration which warrants a decision in conflict with the Development Plan.

The proposals, subject to conditions, would be acceptable in terms of the impacts on visual amenity, residential amenity, parking and trees. The application would comply with the NPPF, Local Plan policies SD SP2, D SP1, D DM4, D DM1, QE SP1, T SP1 and ENV DM4, policy ESD9 of the current and emerging Felpham Neighbourhood Plans.

**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**

The Council has recently adopted a new Community Infrastructure Levy on 1st April 2020.

Details of the charging schedule can be found here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14676.pdf&ver=15027>

**PROPOSALS NOT CIL LIABLE:**

The proposal is not CIL liable as the amount of extension is lower than the amount of demolition.

#### **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:

- Proposed Floor & Roof Layouts (drawing number 19-46/P10 A) received 12/02/20

- Proposed Front, Rear & Side Elevations (drawing number 19-46/P11 A) 12/02/20

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM4, D DM1, QE SP1, T SP1 and ENV DM4 of the Arun

Local Plan and policy ESD9 of the Felpham Neighbourhood Plan.

- 3 The materials and finishes of the extensions and alterations hereby permitted shall match those of the existing building.

Reason: In the interests of visual amenity in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

- 4 **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.