

ADDITIONAL INFORMATION

APPLICATION FP/302/17/PL

Outbuilding 10 Kingsmead Felpham

Following the comments submitted to Arun District Council by Felpham Parish Council we have decided to re-examine our proposals and provide additional information.

1 Application drawing

We have re-surveyed the area of the garden, following installation of new fences and the base for the outbuilding. Drawing 1B is enclosed showing;

- The building reduced in size to reflect the base installed
- Plan dimensions added (maximum height of 2.5m already indicated)
- Existing outbuilding in the rear garden of 8A added

2 Proximity to neighbouring properties

The proposed outbuilding is located at the northern end of the garden, furthest away from the dwelling (13m) and adjacent dwellings. Dimensions to adjacent dwellings are;

- 8A Kingsmead 16m
- 10A Kingsmead 13m (second new house of the development)
- 12 Kingsmead 20m
- Properties in Links Avenue 20m minimum

3 Creation of precedent

This application is required because of condition 11 attached to approval FP/264/16/PL which required that extensions and buildings within the curtilage of the approved dwellings would require planning permission. Copy attached.

This removes the permitted development rights which all dwellings without this type of condition enjoy. This applies to all other house in the area (as far as we can tell).

Permitted development rights allow the construction of outbuildings (subject to height) incidental to the enjoyment of the dwelling covering up to 50% of the total curtilage, less the area of the original house, see attached extract from permitted development rights for householders.

Outbuildings far greater than that proposed can be built, without control, in all the adjacent house gardens and many have.

The application building will in no way create a precedent.

4 Use of the building

The planning officer has requested further information regarding the proposed use of the building, as it has been noticed that water and electricity has been taken to the building location.

Electricity will be installed in the building mainly for lighting for when visiting the building in darkness, no external lighting is proposed.

A water pipe has been installed for an external tap for garden purposes.

The building is intended for multiple uses including storage, hobbies and leisure, all within the description of "incidental to the enjoyment of the dwelling", which permitted development outbuilding enjoy.

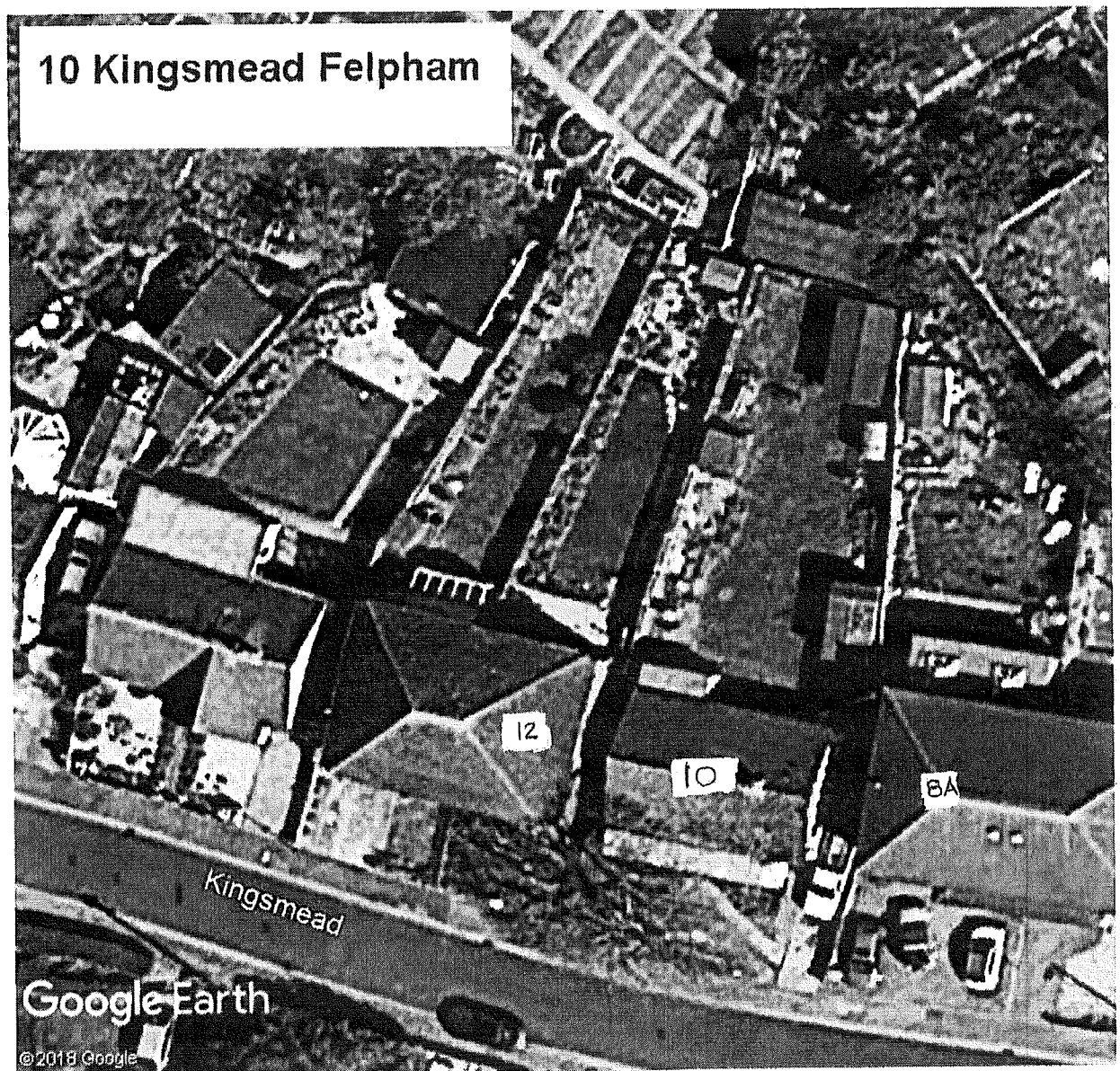
5 Previous buildings on the site

Image from Google Earth showing the site prior to the construction of the 2 new houses.

As well as the bungalow a garage and 3 outbuildings can be seen, the largest of these, in the location of the application outbuilding is approx 3.6 x 5.5m, 20m².

The proposed outbuilding is 15.4m².

Permitted development outbuildings on adjacent plots can be seen.



DRAWING 1B

COMMENT FROM FELPHAM PARISH COUNCIL



Felpham Parish Council
Mr R Wickens (Clerk)
Felpham Community Hall
Meaden Way
Felpham
PO22 8FA

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Your Ref: OWPC16897
Our Ref: FP/302/17/PL
Please ask for:
Mr S Davis

18th January 2018

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Outbuilding
10 Kingsmead Felpham

Thank you for your internet comments made on 17th January 2018 which has been recorded as 'an objection' with the comments as follows:

Objection - Clarification needed as insufficient information on height and size of Outbuilding. Boundary issues as looks very 'snug' on drawings to neighbouring properties. This could create a precedent.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

PCrep



Neil Crowther
Group Head of Planning

PCrep

CONDITION 11 PLANNING CONSENT FP/264/PL

- 8 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Management Plan November 2016 by Baker and Associates and this shall be made permanently available to all future residents of the houses.

Reason: To ensure safe egress from the site in the event of a flood in accordance with the NPPF.

- 9 The two internal garages shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 10 The two first floor bathroom windows in the eastern and western elevations shall at all times be glazed with obscured glass and permanently fixed to be top vent opening only.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 11 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilages of the dwellings unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of

**EXTRACT FROM PERMITTED DEVELOPMENT RIGHTS FOR
HOUSEHOLDERS, TECHNICAL GUIDANCE
Dept for communities and Local Government**



Department for
Communities and
Local Government

Permitted development rights for householders

Technical Guidance

April 2017
Department for Communities and Local Government

Class E – buildings etc

This provides permitted development rights within the curtilage of a house for:

- (a) ***any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure or***
- (b) ***a container used for domestic heating purposes for the storage of oil or liquid petroleum gas***

Class E sets out the rules on permitted development for buildings etc within the curtilage (see page 7) of a house. Buildings which are attached to the house are not permitted under Class E (they would be subject to the rules in Class A). Buildings under Class E should be built for purposes incidental to the enjoyment of the house. Paragraph E.4 of Class E indicates that purposes incidental to the enjoyment of the house includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the house.

But the rules also allow, subject to the conditions and limitations below, a large range of other buildings on land surrounding a house. Examples could include common buildings such as garden sheds, other storage buildings, garages, and garden decking as long as they can be properly be described as having a purpose incidental to the enjoyment of the house. A purpose incidental to a house would not, however, cover normal residential uses, such as separate self-contained accommodation nor the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen.

Under Class E, the following limits and conditions apply:

E.1 Development is not permitted by Class E if –

- a) ***permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 2 of this Schedule (change of use)***

Buildings etc are not permitted where the house was created under the permitted development rights to change use, set out in Classes M, N, P, PA, and Q of Part 3 of Schedule 2 to the Order (see page 4)

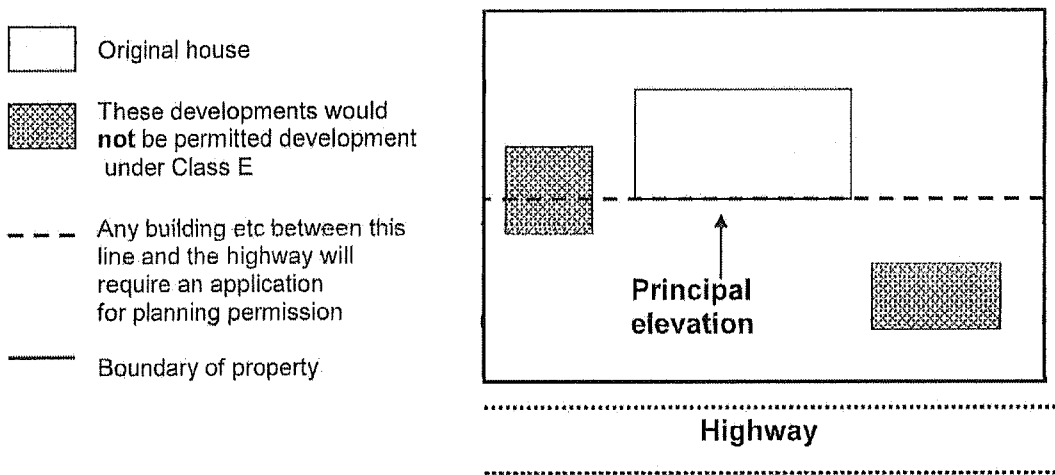
- (b) ***the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)***

The total area of ground around the house covered by buildings, enclosures and containers must not exceed 50% of the total area of the curtilage, excluding the original house (see pages 6 and 7). The 50% limit covers all buildings, so will include any existing

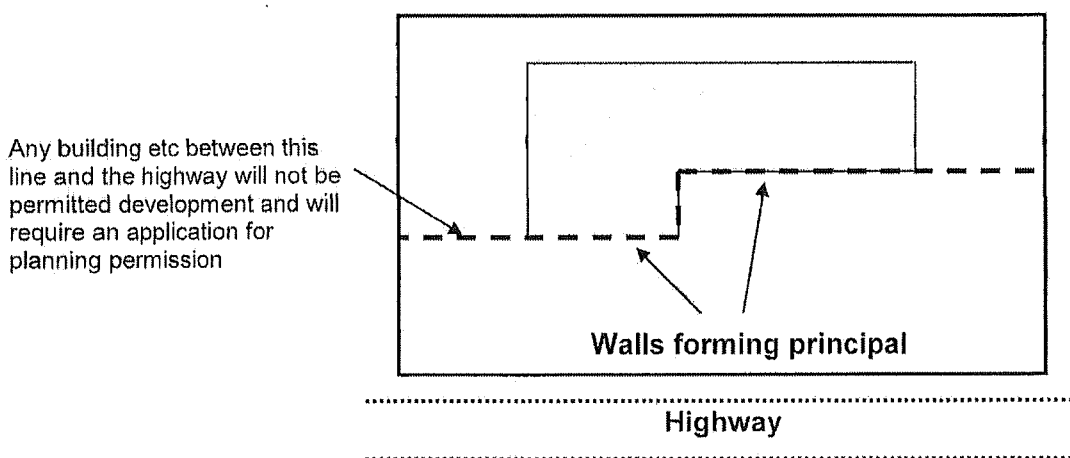
or proposed new extensions to the original house under Class A of the permitted development rules or that have been granted planning permission, as well as existing and proposed outbuildings. It will exclude the area covered by the original house, but will include any separate detached buildings even where they were built prior to 1948 or if the house was built after that date, built when the house itself was built (for example a detached garage).

- (c) ***any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse***

Development is not permitted under Class E in any area in front of the principal elevation of a house. It also prevents permitted development anywhere in front of a hypothetical line drawn through the principal elevation to the side boundary of the land surrounding the house. Principal elevation has the meaning set out in the 'General Issues' section of this document (see page 7). For example:



Where the principal elevation comprises more than one wall facing in the same direction, all such walls will form part of the principal elevation and the line for determining what constitutes 'extends beyond a wall' will follow these walls:



(d) the building would have more than a single storey

Any buildings within the curtilage can only have one storey. Buildings with more than one storey are not permitted development and will require an application for planning permission.

(e) the height of the building, enclosure or container would exceed -

- (i) 4 metres in the case of a building with a dual-pitched roof,**
- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or**
- (iii) 3 metres in any other case**

The height of the building, enclosure or container should be measured from the highest ground level immediately adjacent to the building, enclosure, or container to its highest point.

The height limit on a 'dual-pitched roof' of four metres should also be applied to buildings that have 'hipped' roofs (slopes on all four sides).

If any part of the building, container or enclosure is within two metres of the boundary of the curtilage of the house, then the height limit for the total development is restricted to 2.5 metres if it is to be permitted development.

(f) the height of the eaves of the building would exceed 2.5 metres

The eaves of a building will be the point where the lowest point of a roof slope, or a flat roof, meets the outside wall of the building. The Guidance on Class A (d) above includes examples and further guidance (see page 12).

Under Class E the maximum height of the eaves on any part of the building (irrespective of total height) is 2.5 metres. For example, on a building with a single-pitched roof, the 2.5 metres eaves limit and three metres maximum height limit would be as shown below.

