

Recommendation Report for Planning Permission

REF NO: FP/311/17/PL

LOCATION: 48 Felpham Road
Felpham
PO22 7DF

PROPOSAL: Demolition of a single storey extension & the provision of a new enclosed entrance/staircase; internal alterations to provide 2No. 1 bedroom & 2No. 2 bedroom flats together with a three bedroom flat at second floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Replacement of existing single storey side extension and replacement with two storey extension linking to mansard roof to be added to existing roof. Internal alterations will create 2 no, 1 bedroom flats, 2 no, 2 bedroom flats and three bedroom flat at second floor (within mansard roof), net gain of 1 no flat.
SITE AREA	0.04 hecatres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	125 dph
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m fence to all sides.
SITE CHARACTERISTICS	Detached two storey dilapidated building of townscape merit containing four flats with off street parking to south for 3 cars and gardens to north with external staircase to upstairs flats.
CHARACTER OF LOCALITY	Mixed residential and commercial of varying styles and sizes. Mainly detached two and single storey dwellings, terraced commercial properties and flat blocks.

RELEVANT SITE HISTORY

BR/163/57	Conversion To 2 Shops With 1 Accommodation	Refused 13-11-57
BR/163/57/A	Conversion 1st Floor Flat To 2	Approve 21-06-61
BR/163/57/B	Pair Semi Detached Garages	Refused

02-01-61

BR/163/57/C	Conversion Ground Floor To 3 Flats	No Objection 27-08-65
BR/163/57/D	Conversion Ground Floor To 2 Flats	ApproveConditionally 09-11-65
BR/418/73	Change Of Use Flats To Office	Refused 03-07-73
BR/431/74	Conversion Of Ground Floor Flats To Offices Change Of Use	Refused 07-08-74
BR/593/79	Change Of Use Of Ground Floor To Offices	Refused 19-09-79
BR/8/73	Change Of Use On Ground Floor From Flats To Office Accommodation	Refused 03-04-73

Change of use of ground floor from offices to flats in 1960s.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

No Objection.

One letter of support with regards to the improvement of the appearance of the building but outlined concerns regarding drains.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

The use of drains by the flats is not an issue that is considered a planning matter and will need to be addressed privately and at building control stage.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None made.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary
Building of Special Character

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV19	Extensions to existing residential buildings
GEN12	Parking in New Development
GEN2	Built-up Area Boundary
GEN22	Buildings or Structures of Character
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
ECC SP1	Adapting to Climate Change
HER DM2	Locally Listed Buildings or Structures of Character
SD SP2	Built -Up Area Boundary
T SP1	Transport and Development

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

Felpham Neighbourhood Plan 2014 POLICY ESD10 Design details

Felpham Neighbourhood Plan 2014 POLICY ESD4 New dwellings - code for sustainable homes

Felpham Neighbourhood Plan 2014 POLICY ESD5 Surface water management

Felpham Neighbourhood Plan 2014 POLICY ESD8 Building design

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 District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

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.

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).

The development is considered to comply with relevant Felpham NDP policies.

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

DESIGN AND VISUAL AMENITY

The re-design of the building would alter the appearance of the building of special character but the mansard roof is set back from the eaves and of a modest design which is considered to enhance the appearance of the heritage asset. The extension to side and remedial works will replace an out of character single storey side extension. Whilst the important features of the building be retained, such as the bay windows, overall the development will enhance the appearance of the property creating a more unified appearance to the benefit of the building of special character and the visual amenity of the area. Materials to match existing have been specified. The development is considered to be acceptable in terms of visual amenity in compliance with saved policies DEV19, GEN7 and Felpham NDP policies ESD1, ESD7 and ESD8.

RESIDENTIAL AMENITY

The main properties to receive an impact will be 25 Vicarage Lane and 44 Felpham Road respectively.

The impact of the two storey replacement extension to the western boundary of 25 Vicarage Lane is considered to be acceptable as the existing side windows overlooking 25's garden and external staircase will be removed, omitting overlooking from the current building. Whilst the extension will have a visual impact on the amenities of number 25, as it is set off and to the west of their garden and rear windows, it is not considered to be significantly overbearing or result in a loss of light or overshadowing and permission should not be withheld for this reason.

The mansard addition would add mass that is visible from 44 Felpham Road but it does not increase the height of the building significantly and the separation distance from the mansard and front of 44 mean that the development is acceptable in terms of impact in relation to visual intrusion on the amenities of 44. There will also be 2 new windows in the mansard facing over the site of number 44. However, there is existing overlooking to the front of number 44 from the first floor flat windows; and as the new windows will also face the front driveway of number 44 they are not considered to lead to a significant level of overlooking which could result in harm to residential amenity in terms of loss of privacy.

The development will have little impact on other residential properties in terms of residential amenity owing to separation distance and the modest overall changes to the building. As such, the development is considered to be acceptable in terms of impact on residential amenity in line with saved policies GEN7 and DEV19.

SPACE STANDARDS

The internal sizes of the flats meet the space standard requirements of the Nationally Described Space Standards and are considered to create a liveable and useable amount of internal residential space in compliance with emerging policy D DM2.

Private outdoor amenity space is proposed for the ground floor flat to the south part of the building and a larger shared garden is proposed to the north for the other 4 flats. This is considered to meet the

requirements of the NPPF in terms of amenity space. Whilst 4 of the flats would not have private amenity space, they will have access to a shared garden and there is a good level of public open spaces in the surrounding area.

PARKING

Three off street parking spaces are proposed, which is a shortfall of two spaces. However, given the sustainable location of the development and opportunities for parking in the surrounding roads, the shortfall of parking is not considered to be a sufficient reason for refusal and would not result in highways danger from overspill on street parking. The development is considered to comply with emerging policy T SP1 in terms of parking.

The development is considered to comply with the development plan and is recommended for approval.

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 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:-

1603/04
1603/03
1603/02

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 The materials and finishes of the external walls of the development hereby permitted shall match in colour and texture those of the existing building. The mansard roof and its windows shall be constructed of materials specified in the approved plans.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District 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.