

Recommendation Report for Planning Permission

REF NO: FP/31/22/PL

LOCATION: 107 Felpham Way
Felpham
PO22 8QB

PROPOSAL: Construction of a pair of semi-detached dwellings with electric mobility scooter/cycle & refuse storage facilities. This site is in CIL Zone 4 and is CIL Liable as new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Permission is sought for the erection of a pair of semi-detached 1-bedroom dwellings with electric mobility scooter/cycle & refuse storage facilities on land to the rear of 107 Felpham Way. Access would be from the south via an access which serves a mixed-use scheme comprising two commercial units and 3 flats.
SITE AREA	350.00 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	57 dwellings/hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	Close boarded fence to the east; and a close boarded fence and hedgerow to the west. Heras security fencing to the rear (facing to Flax Mean).
SITE CHARACTERISTICS	A flat, partly grassland with over-grown weeds; recently serves as a construction yard for a reconstruction of building facing to Felpham Way (FP/52/21/PL). Immediately to the east of the application site are 1 & 2 Sunnyside Cottages, Rainbow Cottages (1 to 3) to the west and 2 storey building with shop unit, one flexible use commercial unit at the ground floor and three 2 bed flats at the first floor level to the south.
CHARACTER OF LOCALITY	Flax Mean is a private road of an open character with terrace dwellings within a spacious area and one pair of semi-detached dwellings (Sunnyside Cottages). There is no access to Flax Mean from the proposal site.

RELEVANT SITE HISTORY

FP/52/21/PL	Partial retention, extension & reconstruction of 2-Storey building to provide 1 No. Class E shop unit, 1 No. Flexible use commercial unit for any Use within Class E or as a Sui -Generis beauty therapist/nail bar & 3 No. 2	ApproveConditionally 08-06-21
-------------	---	----------------------------------

bed flats to include parking, secure cycle & refuse storage facilities (resubmission following FP/258/19/PL). This site is in CIL Zone 4 (Zero Rated) as flats & other development.

FP/258/19/PL	Conversion, alteration & extension to provide 1 No. Class A1 Shop Unit, 1 No. Flexible Use Commercial Unit Use Classes A1,A2 and B1, a health centre or clinic (and no other uses within Class D1) or Beauty Therapist/Nail Bar only(Sui Generis) & 3 No. Flats together with secure cycle & refuse storage facilities (resubmission following FP/32/19/PL).	ApproveConditionally 29-07-20
FP/172/16/PL	Change of use from grocery store (A1 Shops) to tyre fitting centre & enlargement of rear double doors.	Refused 16-09-16

REPRESENTATIONS

Felpham Parish Council: Objection.

- Does not comply with ADC supplementary planning guidance October 2020 on parking (for two dwellings as proposed 4 spaces are required.)
- In traffic assessment applicant used West Sussex guidance on parking not ADC. This shows 3 spaces only.
- FPC disputes the 31 spaces stated as being in Felpham Way.
- FPC disputes the 19 spaces stated in Summerley Lane.
- The Traffic Impact Assessment is flawed with incorrect counting, distances exceeded and incorrect assessment of numbers available in Felpham Way.
- Overdevelopment of the site.
- Felpham Parish Council Traffic Survey (November 2021) indicates that daily, Monday to Friday, more than 17,000 vehicles travel past the location in excess of 30mph and up to 55mph.
- Residents with restricted mobility may require regular care visits and with no off road parking for visitors, given the location of the site, this could potentially be hazardous.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. WSCC highways consider the arrangements and capacity on-street would be suitable to serve the development. Other issues are addressed below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS: This proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

DRAINAGE ENGINEERS: Lodge a holding objection. The hierarchy for sustainable drainage must be followed with infiltration fully investigated. Due to the likely ground conditions, it is anticipated that if infiltration is viable it will require a large plan area as blanket solutions may be required and 5m easement from buildings to soakaways must be provided, soakaways should also be sited 2.5m from property boundaries. It is clear from the plan showing the distances from the property that soakaways will not fit within the north of the proposed site.

WEST SUSSEX FIRE AND RESCUE SERVICE: Evidence is required to show that all parts inside all residential dwellings are within 45m of a fire appliance in accordance with Approved Document B Volume 1 2019 Edition B5 section 13.

ENVIRONMENTAL HEALTH: No objection subject to recommended conditions regarding Construction Hours, Construction Management and Unsuspected Land Contamination.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary;
No Public Sewer; and
Class B Road.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WSP1	W SP1 Water
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[Felpham Neighbourhood Plan 2019-31 Policy H2](#)

Windfall Sites

Felpham Neighbourhood Plan 2019-31 Policy ESD1	Quality of Design
Felpham Neighbourhood Plan 2019-31 Policy ESD5	Surface Water Management
Felpham Neighbourhood Plan 2019-31 Policy ESD12	Renewable Energy Schemes
Felpham Neighbourhood Plan 2019-31 Policy GA4	Parking in New Residential Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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.

At Full Council meeting on 17th March 2021, Arun District Council resolved to 'make' the Felpham Neighbourhood Development Plan 2019-2031. The Neighbourhood Plan Review 2019 - 2031 contains a number of 'saved' policies from the Felpham Neighbourhood Plan 2013- 2029, some amended policies and some new ones. The relevant policies are: H2 Windfall Sites, ESD1 Quality of Design, ESD5 Surface Water Management, ESD12 Renewable Energy Schemes and GA4 Parking in New Development.

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 does not comply with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality, on the residential amenities of the adjoining properties and an adverse impact on the established character of the surrounding area. Due to insufficient space to locate soakaways within the boundaries of the site this proposal unduly prejudices drainage design not allowing for the hierarchy for sustainable drainage to be followed. The dwellings fail to provide adequate private amenity space causing harm to the amenities of future occupiers of the properties.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, design and visual amenity, residential amenity, space standards, highways/traffic and parking provision and drainage.

PRINCIPLE:

The proposal seeks permission for the erection of a pair of semi-detached dwellings in the Built-Up Area Boundary (BUAB). This accords with Arun Local Plan (ALP) policy SD SP2 which aims to focus new development in the BUABs. It accords with Felpham Neighbourhood Development Plan (FNDP) policy H2 which supports residential developments on infill, subject to the conditions to be met. The development is acceptable in principle subject to accordance with relevant development plan policies. The key policies of principle considered are SD SP2, D SP1, D DM1 of the Arun Local Plan.

Policy SD SP1 of the Arun Local Plan advocates that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). D SP1 of the Arun Local Plan requires development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land.

The NPPF (paragraph 124) supports the effective and efficient use of land for sites in the built up area but advises new development should maintain an area's prevailing character and setting (including residential gardens) and secure well-designed, attractive and healthy places.

The Council is unable to identify a 5-year supply of housing land and the relevant policies of the development plan for the supply of housing are out of date. In these circumstances, paragraph 11 d) ii of the Framework requires planning permission to be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The proposal is acceptable in principle given it would provide two 1bed dwellings in a sustainable village and suburban centre in easy walking & cycling distance of a range of shops, facilities and services including bus stops. Whilst the Framework seeks to significantly boost the supply of housing, it emphasises that the planning and development process should achieve the creation of high-quality buildings and places. In this context, there would be a short-term economic benefit during construction works and a minor social benefit by the introduction of another household to the community. The support given in the Framework to delivering housing is not at the expense of ensuring that residential development is appropriately located. The proposal results in significant harm to the character of the

area, its pattern of development and residential amenities of immediately adjoining properties. The development fails to follow the hierarchy for sustainable drainage. The failure of the proposal is in direct contradiction of paras 124 and 167 of the NPPF and the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework as a whole.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan stresses that successful development should respond to local distinctive pattern of development. Paragraph 13.2.9 of the Local Plan (Design) requires that new development should ensure that height and massing does not interrupt or debase the rhythm of existing building/roof line or detract from the local and wider area's character. Policy D DM1 looks at aspects of form and design quality, including character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment.

Policy ESD1 of the Felpham Neighbourhood Development Plan expects proposals for new and existing development including extensions and alterations to be of high quality and designed to be sympathetic to the local design style principles set out in the Felpham Design Guide 2018.

The Arun Design Guide Supplementary Planning Document (SPD) is adopted as a material consideration in the determination of applications. Part P.O1 deals with infill development requiring development to respond positively to the character, balance the benefits of more efficient and intense use of development land whilst preserving the character and local amenities of the site's context and existing street frontage. Tandem development will generally be unacceptable due to potential problems of access and privacy with the existing dwelling.

Paragraph 130 (NPPF) expects developments to be visually attractive as a result of good architecture and sympathetic to local character and history.

The pair of dwellings would occupy the rear of No 107 Felpham Way which is also part of Flax Mean, however without an access from this cul-de-sac. It would fill almost entire width of the site leaving the space of approximately 0.9 - 1m from the shared boundary. The dwellings would be 4.5m wide (each) and 12m deep and would contain one bedroom and kitchen/dining/living area with entrance from the side. The rear gardens would be facing Flax Mean.

A large lantern is proposed to the flat roof above the living area on southern elevation and the front/rear of the dwellings would be characterised by a gabled roof (6.5m high to the pitch, 2.4m to the eaves at the norther elevation and 4.15m at the southern elevation). There is no fenestration on flank walls only entrance door with side narrow window. Access to the two bungalows would be from Felpham Way to the south with pergola styled entrance. Within both dwellings north facing gardens would have an electric mobility scooter (or cycle) store with electrical charging point. The south facing gardens would accommodate refuse storage facilities.

The development would be similar to Flax Mean, adjusting its form and height to the neighbouring properties. In reality it would be backland development siting behind 107 Felpahm Way with an access on the eastern side of this property with rear gardens facing to Flax Mean and front gardens to the rear garden of 107.

The pattern of development in Flax Mean consists of rows of terraces in a spacious open area with exceptions of a terrace of three (Rainbow Cottages) and a pair of semis (Sunnyside Cottages) with direct access from Flax Mean with a front elevations and front gardens facing it. A pair of semi-detached

houses would fill the space between the above properties, however not being a part of this street-scene, it would appear visually intrusive.

Notwithstanding the design of dwellings, the proposal results in a visual impression of houses squeezed onto its plot, with inadequate space forcing a variation in established design characteristics, appearing cramped and at odds with surrounding character and appearance of the area. The development represents a tandem development which is generally not acceptable. The development conflicts with those aspects of policies D DM1 and D SP1 of the Arun Local Plan, policy ESD1 of the FNDP, relevant paragraphs of the NPPF the Arun Design Guide (SPD) and the National Design Guide.

NOISE & RESIDENTIAL AMENITY:

Arun Local Plan policy D DM1 indicates permission will only be granted for schemes displaying high quality design and layout and it takes into account impact on adjoining occupiers, land, use or property by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. The Council requires in policy QE SP1 all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity and policy QE DM1 seeks to protect against the impacts of new noise generating development.

None of the Felpham NDP policies refer to residential amenity issues. One of the 'core planning principles' of the NPPF is to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130 f).

A residential use would not be a noise generating form of development especially in an area of mixed use development. The use would have similar characteristics to other residential properties in the locality.

The development would have a significant impact on occupiers of nearby properties resulting in adverse harm on amenity by way of overbearing, sitting within a distance of 1.5 -1.7m. Therefore, it would not accord with policies D DM1 and QE SP1 of the Arun Local Plan and paragraph 130(f) of the NPPF.

INTERNAL & EXTERNAL SPACE STANDARDS:

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Section J.08 of the ADC Design Guide SPD reiterates the need to comply with the national internal space standards.

Submitted drawing shows a single bed bedroom facility - units measure 47.2 sqm and 46.1 sqm. The minimal internal space standards set out in the Technical Housing Standards Nationally Described Space Standards (2015) is 39 sqm for a 1-storey 1bed 1 person home which would exceed the national internal space standards and comply with policy D DM2 of the ALP.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. The Arun Design Guide stresses the design of new homes should provide clear delineation of public and private spaces; incorporating a 'public front' and private 'back' to the rear of the site, providing private gardens. Section H.04 deals with Residential Outdoor Amenity: 'Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. Private rear gardens should have a minimum depth of 10.5m.

Regard should be had to para 130 of the NPPF 2021 which requires development has a high standard of amenity for existing and future users.

In respect of external standards, the submitted drawings show insufficient rear garden space 2.7m and 3.5m deep, front gardens 6m and 4.5m deep which fail to satisfy the requirement of Arun Design Guide and comply with policies D DM1 and with the guidance in the NPPF (para. 130).

SITE ACCESS, PARKING AND HIGHWAYS IMPACT

Policy T SP1 of the Arun Local Plan requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line with adopted planning policies. The ADC Parking Standards (SPD) sets out the vehicle/cycle and EVCP parking standards.

Policy GA4 of the FNDP states that new car parking should where possible be accommodated in the curtilage of the dwelling in the form of a garage and/or parking space. Development proposals will be supported only if they include the maximum level of off-street parking consistent with current local standards and make provision for access by emergency vehicles.

Para 110 of the NPPF 2021 affirms "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 111 which stresses: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The Parking Standards Supplementary Planning Document, January 2020 states in Principle 1: 2.12 Parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety, and avoiding increased on-street parking demand. In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes.

According to the requirement of Parking Standards 2 parking space for 1 bed flat within Parking Behaviour Zone 2 and visitor parking at a ratio of 20% of the total number of residential units will be required. As such a minimum of 4 parking spaces are required for the 2 dwellings. If nil car parking provision is proposed according to ADC Parking Standards, Principle 2.13 it will be necessary to demonstrate through a parking capacity survey that there is sufficient capacity to accommodate the expected parking demand.

No parking spaces are proposed. The Transport Statement demonstrates that, when surveyed (using the Lambeth Methodology), there were found to be an average of 81 available parking spaces on local roads within 200m of the application site - 31 of which were available on Felpham Way. This was disputed by the Felpham Parish Council.

The safety of the site complies with T SP1 of the Arun Local Plan, however the provision of parking would not comply with 3.2, of the Arun Policy T SP1, saved policy GA4 of the FNDP and Arun Parking Standards (SPD). There would not be sufficient harm via unmet parking to result in harm such that a refusal is justified.

DRAINAGE

The Council, as stressed in policy W SP1, will support development that is appropriately located, taking account of flood risk and promotes the incorporation of appropriate measures and W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems.

The FNDP policy ESD5 stresses where applicable, surface water management measures will be required for development proposals to ensure that the risk of flooding both on site and downstream is not increased.

Arun District Council's Drainage Engineers objected due to inadequate distances from the proposed property that soakaways will not fit within the north of the proposed site. Inadequately considering drainage at this stage could potentially result in a lack of sufficient capacity being provided for surface water drainage and therefore the development could lead to an increased risk of flooding elsewhere.

The site falls in Flood Zone 1 and is at low risk of flooding. The development conflicts with those aspects of policies W SP1 a, W DM2 and W DM3 of the Arun Local Plan and policy ESD5 of the FNDP.

BIODIVERSITY

ALP policy ENV DM5 asks development schemes to achieve a net gain in biodiversity and protect existing habitats on site.

The application is for a new pair of semidetached dwellings within a former garden area/ grassland. Submission of further information demonstrating what will be included in the scheme and what level of net gain will be created is required.

The opportunity to increase biodiversity and mitigation measures can be secured via conditions and comply with ENV DM4.

TILTED BALANCE & OTHER MATERIAL CONSIDERATIONS

Paragraph 14 of the NPPF makes clear that "in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbouring plan is likely to significantly and demonstrably outweigh the benefits, provided all of the criteria applies. These criteria include:

- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement; c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years"

The Council has published its Authority Monitoring Report (AMR) and this shows that the Housing Land Supply (HLS) has decreased from the previous 3.3 year figure to 2.4 years. The presumption under paragraph 11(d) is unaffected by the Neighbourhood Plan.

Notwithstanding this position, the NPPF contains a number of material considerations. In its latest revision on 20th July 2021, the Government significantly strengthened its position on the use and application of design guides in the determination of planning applications. Specifically, para 128 now makes clear that "to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, which reflect local character and design preferences." In this instance, the LPA has undertaken this extensive work which aligns with the requirements of the NPPF.

Para 129 of the NPPF details how such Design Guides should be applied at decision taking level: "Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as a supplementary planning documents". The ADC Design Guide comprises a formally adopted SPD.

Para 130(c) of the NPPF requires planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Para 167 of the NPPF stresses: 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'

Whilst the LPA acknowledges the applicant's intention of using the site effectively, safeguards such as Design Guides are adopted by Local Planning Authorities to specifically ensure that sites are not overdeveloped. The way in which they work is that if too much development is proposed, then it simply cannot accord with the contents of the adopted Design Guide.

The proposal is in conflict with the Arun Design Guide which advises new development respect the existing built environment of the surrounding area using density appropriate to location, balancing the need for efficient use of land with a design that responds to and enhance the existing character of the locality and addresses the edges of the site in a positive way and seek to reduce flood risk through incorporation of Sustainable Drainage Systems (SuDS). The proposal is for a tandem development which is generally unacceptable due to potential problems of access and privacy with the existing dwelling.

CONCLUSION

The proposal is for an intensification of use of the site which is supported policy and para 120 (d) of the NPPF. However, the dwellings would result in significant harm to the character of the surrounding area given the existing form of development in the surrounding area. The applicant has failed to demonstrate that proposed development would be satisfactorily drained. Insufficient private space for prospective occupiers has been provided.

This report has balanced this harm against other material considerations provision of 2 dwellings in a sustainable location, including that of the contents of the NPPF. Whilst it is acknowledged that the NPPF does give some support to using sites effectively, this material consideration is not of sufficient weight to demonstrably outweigh the harm identified above in both Development Plan and the NPPF.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 The development by reason of its size, design and position fails to respect the surrounding character and appearance of the area and detracts from the existing pattern of development. The proposal results in an unduly cramped, unneighbourly and overbearing form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policies D SP1, D DM1 of the Arun Local Plan, The Arun Design Guide and the NPPF.
- 2 The dwellings fail to provide adequate private amenity space causing harm to the amenities of future occupiers of the properties contrary to policy D DM1 of the Arun Local Plan and the Arun Design Guide 2021 and paragraph 130 of the NPPF.
- 3 The applicant failed to consider a sustainable surface water drainage in the development. It is unlikely it would be possible to locate soakways in the site boundaries. As a result, the proposal would unduly prejudice drainage design not allowing for the hierarchy for sustainable drainage to be followed. Therefore, the proposal would be contrary to policies W SP1, W DM2 and W DM3 of the Arun Local Plan and paragraph 167 of the NPPF.
- 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.