

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: FP/3/25/HH

LOCATION: 7 Second Avenue
Felpham
PO22 7LJ

PROPOSAL: Proposed timber shed and front garden fence.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

FP/128/24/NMA	Non-material amendment following the grant of FP/43/24/HH relating to an additional flat rooflight to be added to bedroom, larger window to medical store (infilled with stained glass), store repositioned with carers shower room and alteration to size of the store in the window.	Approve 23-09-24
FP/43/24/HH	Single storey side extension, installation of car port, new resin driveway and alterations to fenestration, following the demolition of existing integral garage and detached store.	ApproveConditionally 17-05-24
FP/203/23/HH	Single storey extension to side of 2 storey detached dwelling house and demolition of existing prefab concrete garage. Provision of porch roof to front, changes to the fenestration and new tarmac driveway.	ApproveConditionally 05-02-24
FP/132/23/HH	Single storey extension to side of 2 storey detached dwelling house and demolition of existing prefab concrete garage.	ApproveConditionally 18-10-23
PAA/52/23/	Internal alterations, single storey side extension to make this property suitable or a disabled individual.	Approve Pre App 13-07-23

REPRESENTATIONS

Felpham Parish Council - No objection but note that inadequate information regarding location and height of fence which appears to be higher than 2m has been provided. Additionally, biodiversity statement appears inadequate.

1 objection from nearby occupier, key points noted below.

- A structure of that size in the proposed location at the front of the property, would without doubt, reduce light coming into the kitchen family area at 108 Limmer Lane, and would be an unsightly intrusion in terms of the view.

- The installation of an additional structure, so close to, and projecting circa 0.6m above the newly erected 6ft

boundary fence is unreasonable in this location on the property.

No trees are to be lost as a result of the proposed works and given that the Arboricultural Method Statement (AMS) details how trees on site are to be protected during the process of construction, it is not considered that a detailed biodiversity statement is required.

This permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, other comments noted and will be addressed in the conclusions section.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Tree Preservation Order (TPO ref - 3/342/91 (TPO)).

Within Built-Up Area Boundary.

Within an area with potentially high groundwater levels.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM4	ENV DM4 Protection of trees

[Felpham Neighbourhood Plan 2019-31 Policy ESD1](#) Quality of Design

Felpham Neighbourhood Plan 2019-31 Policy ESD9 Protection and Enhancement of Wildlife or Ecological Networks.

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is a detached dwelling along Second Avenue. The application seeks to construct a single storey timber shed and erect a fence along the front boundary and into the application site. The development is proposed to the front (east) of the property and the works will be highly visible from the street scene.

The proposed timber shed would have a width of 2.4m, a depth of 4.3m and a maximum height of 2.5m. The timber shed would feature natural timber doors to the west (rear) elevation with two white timber windows within the southern flank elevation, facing into the application site. The materials used for the walls would be timber cladding. The timber shed would have a light brown timber shingle roof finish.

The timber shed would be sited to the north east (front/side) of the dwelling projecting approx. 0.5m above the replacement boundary fence. Therefore, the timber shed would be partly visible from the street scene, however it would have minimal impact on the visual amenity of the property given the presence of the proposed fence along the front boundary.

It is also noted that front outbuildings/sheds are not a common feature within the immediate street scene. However, the timber shed would be sited to the end of the cul-de-sac and would not disrupt the established building line within the street scene of Second Avenue. Therefore, the proposed timber shed would not appear out of character within the area and is acceptable.

The development also seeks to replace the existing fence panels between the brick piers to the northern aspect of the front boundary and install the same high fencing between the existing low level brick piers to the front of the site, adjacent to the front access. The brick piers would be retained as existing. The new boundary treatment would be highly visible in the street scene. However, given the existing height of the brick piers, it is noted that a fence of a similar height and design could be constructed under permitted development. It is also noted that there are a variety of boundary treatments present in immediate vicinity such that the proposed works will not appear out of keeping within the street scene or wider area.

The proposed timber shed and boundary fence would have some impact on the character of the surrounding area due to its visibility. However, it is noted that the timber shed would be sited behind a high level fence, and therefore this element would be less visible within the street scene and would not disrupt the established building line. Furthermore, the proposed fence is of a similar height and design to that which could be constructed under permitted development, given the existing site circumstances. The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide (ADG).

RESIDENTIAL AMENITY

The proposed garden room would intrude a 60-degree splay line when taken from the closest window of neighbouring properties, however, given that the timber shed would be set in 1.7m from the side (north) boundary of the application site, and the height and design of the proposed timber shed, the timber shed would not result in significant adverse impacts to neighbouring amenity in terms of overbearing or overshadowing impacts.

Fenestration is proposed within the southern (side) elevation, however the proposed fenestration would have an outlook of the front amenity space serving the host dwelling, and given the high level fencing, would not result in any overlooking.

The proposed front boundary fence would extend along the front boundary of the application site,

between the existing brick piers, partly replacing existing close boarded fencing. Given the siting of the proposed fence, it would not result in any overbearing or overshadowing impacts to neighbouring dwellings. As such, the proposed development is in accordance with policy D DM1 of the Arun Local Plan.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan in that it would not result in unduly harmful adverse overshadowing, overlooking or overbearing effects on neighbouring properties.

TREES

The property is covered by Tree Preservation Order (TPO) Bognor No.3.

No trees are to be lost as a result of the proposed development. The tree to front (east) is a category C tree and therefore of lower quality in terms of life expectancy and local amenity value. A condition was previously attached to planning permission FP/43/24/HH, in relation to the implementation of the protection measures in advance of any demolition of construction works. The current proposal will also be subject to the same condition. The proposal is therefore in accordance with policy ENV DM4 of the Arun Local Plan and policy ESD9 of Felpham NDP which require existing trees which contribute to local amenity to not be damaged or destroyed now and as they reach maturity.

SUMMARY

The proposed development is in accordance with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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

This application is not CIL liable.

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 and documents:

- Existing Floor & Site Plans 01C.
- Existing & Proposed Plans 39G.
- Biodiversity Enhancement Statement (received - 20/01/25).
- Tree Survey (received - 12/03/25)
- Arboricultural Method Statement (received - 12/03/25).
- Arboricultural Impact Assessment AIA 01.
- Tree Constraints Plan TCP 01.
- Tree Protection Plan TPP 01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 All activity at the site is to be carried out in strict accordance with the Arboricultural Method Statement by Arbtech (12/03/25), the Arboricultural Impact Assessment drawing ref Arbtech AIA 01 and the Tree Protection Plan ref Arbtech TPP 01. No groundworks or construction shall take place until protective fencing and ground protection as required under British Standard 5837:2012 has been erected and positioned as shown on the Tree Protection Plan - Arbtech TPP 01.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 and ENV DM5 of the Arun Local Plan.

- 4 The timber shed hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 7 Second Avenue as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 5 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as

amended).

- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.