

REPORT UPDATE

Application No: FP/55/26/PL

Reason for the Update / Changes

Reason for Update/Changes: Publication of new NPPF.

Officers Comment: The changes to the NPPF do not alter the recommendation for this application. As a development within the settlement boundary, the proposal benefits from support from National Decision Making Policy (NDMP) S4, which states that proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects.

NDMP L2 is relevant to the proposals and L2(1)(d) states that substantial weight should be given to the benefits of proposals which create additional homes or floorspace within settlements through creation of additional units within residential curtilages. The policy states that the development should i) be consistent with the overall street scene, ii) maintain safe access and acceptable living standards and for development within a residential curtilage iii) not occupy more than twice the footprint of all the existing buildings on site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings.

The proposed additional dwelling is consistent with the street scene of the wider area, and provides suitable access and standards of amenity for future occupiers as assessed within the report. The additional development required to facilitate the subdivision does not occupy more than twice the footprint of the existing buildings, and retains over 50% of the non-developed area. The proposal is therefore in accordance with NDMP L2(1)(d), and substantial weight should be given to the benefits of the proposal. The proposal provides a single dwelling in a sustainable location within the built up area boundary and makes efficient use of land by providing an additional unit within an existing residential curtilage.

Paragraph 116 of the NPPF (2024) has been replaced by NDMP TR6(4), which states development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety. This change does not alter the assessment of the highways impacts of this proposal.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: FP/55/26/PL

LOCATION: 6 Ormesby Crescent
Felpham
PO22 8EN

PROPOSAL: Demolition of garage and conservatory, extension and alteration of existing bungalow to create two separate dwellings including a new crossover to public highway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Division of property to form two separate dwellings, side and rear extensions and alterations to bungalow. New crossover onto the public highway.
SITE CHARACTERISTICS	Detached bungalow with detached garage. Open frontage and a garden to rear.
CHARACTER OF LOCALITY	Residential area, with an open character and mix of bungalows, chalet bungalows and two storey dwellings.

REPRESENTATIONS

Felpham Parish Council - Object

- Overdevelopment which compromises the spatial pattern and composition of the street scene.
- Results in harm to character and visual amenity in conflict with development plan policies.

No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - Advice

- The proposed crossover raises no safety concerns in this location.
- WSCC parking demand calculator expects 3 parking spaces for the 3-bed dwelling, so there may be need for one overspill space to be accommodated on-street. This would not cause a highways concern.
- The proposals would not have an unacceptable impact on highways safety.

ECOLOGY - Further information required

- Further information should be provided regarding the trees within the BNG baseline.
- The BNG assessment shows a loss of 53.33% in habitat units. Offsite units would therefore be required in order to meet the BNG requirement.
- The Biodiversity Enhancement Statement proposes enhancement measures.

ENVIRONMENTAL HEALTH - No objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built Up Area Boundary

2km Buffer for SSSI

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
ENVDM5	ENV DM5 Development and biodiversity

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

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, The South Inshore & South Offshore Marine Plan 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.

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 complies with relevant Development Plan policies in that the proposal provides an additional dwelling within the built up area, and would not harm the character of the area.

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

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG). The following is a summary of the key points:

- BNG to be provided through purchase of offsite credits.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The proposal seeks to divide the plot into two semi-detached dwellings, following extensions to the building. This would result one larger 3-bed dwelling (Unit B) and one smaller 2-bed dwelling (Unit A). Whilst dwellings on the west side of Ormesby Crescent are generally detached, semi-detached dwellings are typical of the wider area, including on the east side of the street, on the small cul-de-sac off Ormesby Crescent and on Wroxham Way. The semi-detached nature of the resultant dwellings is not out of character with the wider area, and does not cause harm.

ALP policy D DM1 and the Arun Design Guide (ADG) state that development, particularly infill developments in existing residential areas, should respond positively to the character, appearance and layout of surrounding buildings and enhance amenity for surrounding and new residents. The ADG draws particular attention to the width of building frontages, and the need to avoid overdevelopment or over intensification. The width of the smaller of the dwellings would be 8.1m. The widths of building frontages along Ormesby Crescent are varied. The widest plots have frontages which are 16.5m, whilst the semi-detached buildings across the road have frontages of approx. 11m, and the semi-detached dwellings on the cul-de-sac section of Ormesby Crescent have frontages of 7m. The plot width would not be harmfully out of keeping with the character of the area. The properties would have entrances on the side elevation. This is an arrangement found elsewhere on Ormesby Crescent, and would not be out of keeping with the character of the area.

The proposal involves the demolition of the single storey garage and conservatory, their replacement with a pitched roof side extension and a rear extension with crown roof. The side extension would have a width of 2.5m. The side extension is designed to extend the existing pitched roofed form, and would be constructed with matching materials. The extension would be visually integrated with the building, and complies with ALP policies D DM1 and D DM4. The side extension would largely replace existing buildings, and would be further away from the northern boundary than the existing garage. The proposal would not impact the rhythm of the street scene.

The rear extension would have a crown roof, and would be set down from the main ridge. The extension would project approx. 4m from the current furthest extent of the rear elevation, and would span the width of the building, across both proposed dwellings. The rear extension remains visually subservient and integrated with the main dwelling, and complies with ALP policies D DM1 and D DM4.

The proposals would not give rise unacceptable harm to the character or visual amenity of the area, and are acceptable in accordance with ALP policies D DM1, D DM4 and the ADG.

INTERNAL SPACE STANDARDS AND AMENITY OF FUTURE OCCUPIERS

ALP policy D DM2 requires internal spaces in dwellings to be an appropriate size. The Nationally Described Space Standard (NDSS) require bedrooms with two bed spaces to have an area of 11.5sqm. On this basis, Unit A is a 2-bed dwelling with 3 bed spaces, and exceeds the overall internal space

standard of 61sqm for a dwelling of this size, with an area of 73sqm. Unit B has one double bedroom, and also exceeds the NDSS of 74sqm for a 3-bed dwellings with 4 occupiers, with an internal area of 107sqm. Both dwellings exceed the NDSS for their type, and the application complies with ALP policy D DM2.

The proposal includes a rear extension of the existing dwelling, which would match the rear projection of the new residential unit. This would result in a reduction of the amenity space to the rear of the property, which would be approx. 9.5m deep. This falls slightly short of the 10.5m depth for rear gardens recommended by the ADG. There are several examples in the area of properties with smaller amenity spaces, and the rear garden depth would provide sufficient amenity space for future occupiers.

Whilst there is some conflict with the standards set out in the ADG, this does not give rise to harm, and the proposals are in accordance with ALP policy D DM2.

NEIGHBOURING RESIDENTIAL AMENITY

ALP policies D DM1 and D DM4 require developments to have minimal impact on neighbouring land.

The rear projects approx. 4m, and has the potential to impact neighbours to the north and south. The extension will not extend beyond the furthest extent of the rear elevation of the property to the north, and retains a 1.3m distance to the boundary. Any impact on this neighbour would not be harmful. To the south, the extension maintains a separation distance of 1.3m to the boundary. The extension would extend substantially beyond the rear elevation of this property, and would conflict with a 45 degree line taken from the nearest rear window of the neighbouring property, in partial conflict with the ADG. The extension is single storey and positioned to the north of the neighbouring property. The depth of the rear extension is not excessive and would not result in unacceptable impacts through overbearing, overshadowing or overlooking in accordance with ALP policies D DM1 and D DM4.

The proposal results in the introduction of an additional dwelling in the existing plot, and would intensify the use of this area. The use remains residential, and the increase in comings and goings would not cause undue disturbance to neighbouring occupiers, in accordance with ALP policy QE SP1.

TRANSPORT AND PARKING

ALP policy T SP1 requires development to reduce the need to travel by car by identifying opportunities to improve access to public transport services whilst making provision for safe access to the highway network. The site is within the BUAB and is sustainably located in close proximity of a small range of local services and bus routes connecting to the wider public transport network and local towns.

The application proposes an additional access to serve the new dwelling, and provides parking to the front of both properties. WSCC Highways raise no objection.

The consultation response states that the proposals would result in a shortfall of a single parking space. Whilst WSCC state that Unit B would require 3 parking spaces, the Arun Parking Standards SPD (APS) would require 2 parking spaces for each dwelling, and the proposals comply with this requirement. The proposals provide sufficient on-site parking in accordance with the APS.

The proposals include cycle parking provision, and this has been secured via condition.

The proposals accord with ALP policy T SP1 and the APS.

ECOLOGY AND BIODIVERSITY

ALP policy ENV DM5 requires proposals to assess onsite biodiversity, and provide enhancement measures. The proposal is also liable for statutory BNG.

The Council's Ecologist queried the calculation of the biodiversity baseline. These have been resolved. The small sites BNG metric reflects a loss of on site habitats of 53.33% and offsite units will be required to meet the BNG requirement. Whilst BNG should be provided on-site where possible, it is acknowledged that in this instance, the size of the site makes this difficult, particularly as most of the non-developed area is proposed as domestic garden where biodiversity enhancement measures cannot be counted as part of the metric. A condition has been attached requiring further details of the purchased units.

The biodiversity enhancement measures set out in Biodiversity Enhancement Statement are acceptable and have been secured via condition. The proposal is in accordance with ALP policy ENV DM

SUMMARY

Whilst the development partially conflicts with some sections of the ADG, these conflicts do not result in harm to the character of the area, or to the amenity of existing or future occupiers. The proposal creates a single residential unit, and given the Council's Housing Land Supply shortfall, limited weight is given to the benefits of the additional unit. The development is in accordance with the remaining development plan policies, and is recommended for approval subject to 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 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 application based on the considerations set out in this report.

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 (dependent on any exemptions or relief that may apply).

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 Location Plan, East and North Elevations, Roof Plan P02
- Proposed Site Plan P03
- Proposed Ground Floor Plan and West and South Elevations P01a
- Block and Crossover Plans P04

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 The materials and finishes of the external walls and pitched roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

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

- 4 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the approved drawing.

Reason: In the interests of road safety and in accordance with Arun Local Plan policy T SP1.

- 5 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 7 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations either of the approved dwellings unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity in accordance with Arun Local Plan policy D DM1.

- 8 Notwithstanding the provisions of Schedule 2, Part 1, Class A (g) of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no larger householder extensions to the dwellings which exceed the dimensions allowed by Class A (f) shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate amenity space in accordance with Arun Local Plan policy D DM1.

- 9 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Biodiversity Enhancement Statement April 2026, shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 10 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

- 11 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/>

- 12 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 NPPF.