

Recommendation Report for Planning Permission

REF NO: FP/66/21/PL

LOCATION: Abergail
Clyde Road
Felpham
PO22 7AH

PROPOSAL: Revision to previously approved scheme (FP/231/20/PL) to raise the ridge height of the development for new building with first floor 1 No. 1- bed apartment above (3 x No.) garages & cycle store with parking. This site is in CIL Zone 4 (Zero Rated) as flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a dwelling which will have residential accommodation at first floor and 3 car spaces and cycle parking below.
BOUNDARY TREATMENT	The site is open to the front, with a brick wall to the south and fencing to the north.
SITE CHARACTERISTICS	The site is occupied by dwelling which is accessed from Clyde Road to the south. There is vacant space to the rear of the site fronting Canning Road.
CHARACTER OF LOCALITY	The area is predominately residential however is in close walking distance Felpham High Street. To the east of the site sits Beachcroft Hotel.

RELEVANT SITE HISTORY

FP/231/20/PL	New building with first floor 1 No. 1- bed apartment above (3 x No.) garages & cycle store with parking. This site is in CIL Zone 4 (Zero Rated) as flat.	ApproveConditionally 29-01-21
FP/218/19/PL	Detached block of 4 x garages.	ApproveConditionally 27-11-19
FP/172/18/PL	Change of use from single dwelling arranged as two units into two self-contained flats with parking.	ApproveConditionally 29-01-19

An application was approved for a block of garages.

An application was approved in 2018 for the regularisation of the existing dwelling on site to form 2 flats.

This application is a resubmission of a similar proposal approved in 2021.

REPRESENTATIONS

Felpham Parish Council provided no objection.

2 letters of representation received from 1 nearby occupiers.

- Objection to the flat above.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The proposal is a resubmission of another that has already been approved.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Heath - No objection although noise and construction should be considered.

ADC Drainage - The details are acceptable although request a few minor amendment to the plans.

COMMENTS ON CONSULTATION RESPONSES:

The condition requesting external noise be assessed, is not considered necessary. The site is surrounded by other dwellings and it is not deemed noise to this property would result in differences than that of others.

The minor amendments to the plan was changed as requested.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
WMDM1	WM DM1 Waste Management
ECCSP1	ECC SP1 Adapting to Climate Change
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM2	D DM2 Internal space standards
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS**PRINCIPLE**

In this case, the key policies considered are D SP1, D DM1, D DM2, T SP1, W DM1 of the Arun Local Plan.

Felpham has a saved and emerging neighbourhood plan which is of relevance to the application. Policy ESD1 and GA4 are of relevance and the proposal complies with this.

BACKGROUND

Permission was granted by FP/231/20/PL for a new building with first floor 1 No. 1- bed apartment above (3 x No.) garages & cycle store with parking.

This application seeks an alteration and due to the small scale of the change this report will only assess the changes which include;

- Raising the ridge height of the building by 0.42m.

DESIGN AND VISUAL AMENITY

The proposal will be between the Beachcroft Hotel and White Horses Studio.

The alteration will result in the ridge height increasing by around 0.42m. The original building was decreased in width by 1m and the DAS suggests that the height increase will free up useable space in the first floor flat.

The height of the building will be 6.6m. This is slightly taller than the neighbouring property to the north by around 0.35m however it does not result in the dwelling appearing out of character or overly dominant upon the street scene.

The proposal is considered to comply with ADC Design Guide in that it emulates the existing pattern of development, with design features that complement the surrounding area. It increases the efficiency of the land which is currently vacant as it will provide housing and parking.

The alteration proposed to the development does not result in harm upon the street scene or wider area and accords with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The height increase is relatively minor and a minimum of 1m is retained to both side boundaries.

The rear roof slope also featured a cat slide roof, however part of the eaves to the rear will be raised to the same margin as the ridge.

The alterations are not considered to result in harm upon neighbouring amenity due to the design of the building and minor scale of the changes which retain the footprint as approved, with sufficient space retained to boundaries.

Alterations to height are not considered to result in adverse overbearing, overshadowing or overlooking additional to that which is already approved and as such complies with D DM1 and QESP1 of the Arun Local Plan.

AMENITY SPACE

Policy D DM2 of the ALP states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the proposed dwelling is suitable for residential use.

The amendment to the roof does not alter the floor space proposed at around 66sqm and therefore complies with the guidance.

FLOOD RISK

W DM2 of the Arun Local Plan states development in areas at risk from flooding (as identified by the EA) will only be permitted following compliance with listed criteria. One of these criterion is the submission of a sequential test in accordance with the NPPF.

The previous application was assessed and following submission of the requested information and compliance with relevant flood risk tests, the proposal was considered to accord with WDM2 and would not result in an increase to Flood Risk elsewhere. The alteration to the roof does not result in an increase to the footprint of the building and the level of flood risk that was previously assessed would not

alter as a result of the amendment and as such again complies with WDM2 of the Arun Local Plan.

PARKING

T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

The proposed amendment does not alter the provision of parking that has been provided which complies with TSP1 and Arun Parking Standards.

SUMMARY

The proposed development accords 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

The site falls within Zone 4 however the development of flats within the location is exempt from CIL.

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
- Location and Block Plan - Rev B
 - Street Scene Elevation - Rev C
 - Proposed Elevations - Rev D
 - Proposed First Floor Plan - Rev G
 - Proposed Ground Floor Plan - Rev E
 - Proposed Plot Plan - Rev F
 - D and S Statement - Feb 2021
 - Construction Details - 202-C2
 - Surface Water Drainage Plan layout - 2020/SK5
 - Surface Water Construction Details - 2020/C1

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

- 3 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun 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.