

Recommendation Report for Planning Permission

REF NO: FP/82/19/PL

LOCATION: 1 Summerley Lane
Felpham
PO22 7HN

PROPOSAL: Change of use from offices/residential use to dwelling house to include internal re-ordering, external improvements and associated works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to change the use of the property from C2 offices/residential use to a C3 dwellinghouse.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property fronts Felpham way to the north and Summerley Lane to the west with a flint wall to this elevation. There is timber fence located to the east and south.
SITE CHARACTERISTICS	The site is occupied by a detached 18th century two storey property. The property has extensions which lie to the east end of the site of both single and two storey.
CHARACTER OF LOCALITY	The area is predominantly residential with properties of various styles and designs.

RELEVANT SITE HISTORY

FP/56/12/NMA	Application for a non-material amendment following a grant of planning permission FP/103/11/ for additional windows to be changed to doors with window to side	Approve 03-04-12
FP/65/13/	Internal changes and change of use from garage/annexe to provide kitchen and lounge.	ApproveConditionally 06-06-13
FP/103/11/	Proposed change of ground floor windows to windows and doors and bay window extension	ApproveConditionally 15-07-11

Relevant planning history noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council provided no response.
No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

PD Restriction

Class A road

Class C road

DEVELOPMENT PLAN POLICES

[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)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

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.

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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Felpham has a 'made' Neighbourhood Plan with policy ESD1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal seeks to alter the use of the property from C2 residential institution to C3 dwellinghouse. The surrounding area is predominately residential although there are some commercial properties nearby and therefore the change of use is not deemed out of character for the area.

The external appearance of the property will under go slight alterations. The existing north, south and west elevations are originally constructed of flint work with brick dressings and currently have render over the west and south elevations. The render will be removed and the original appearance restored.

The existing PVCu windows will also be replaced with painted timber and the windows to the western elevation will slightly increase in size.

To the eastern elevation a conservatory will be removed however this part of the property is not visible from the wider area. Part of the existing flint wall to the west has been removed as it was considered unsafe however it is to be rebuilt to match the original.

The property will slightly alter in appearance however the alterations are considered to restore its original appearance and therefore improve its appearance and spatial pattern in the street scene and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The change of use of the property is not considered to give rise to any additional adverse impacts upon neighbouring amenity with the property remaining largely unchanged in terms of its size and therefore not considered to appear adversely overbearing or overshadowing. The proposal will alter the size of the windows to the west however with the elevation facing the street scene, it is not considered to give rise to an increase in overlooking. There will also be 2 additional ground floor windows to the south however again due to their siting they are not considered to give rise to any additional overlooking.

It is also not considered the use would be intensified from that which already occurs and therefore impacts such as noise are not considered to significantly increase than that which is already achieved.

Due to the modest changes, the proposal is not deemed to adversely impact neighbouring amenity by way of overbearing, overshadowing or overbearing and accord with DDM1 and DDM4 of the Arun Local Plan.

PARKING

There is sufficient space to rear for 2-3 cars and the change of use is not considered give rise to any adverse parking or highway issues as a result.

SUMMARY

The proposed development is deemed to accord with the relevant development 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.

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 Ground and First Floor Plans - 02.02.Rev A
 - Proposed Site and Block Plan - 02.01 Rev A
 - Proposed Elevations and Typical Cross Sections (including window amendment) - 02.03
 - Planning Statement
 - Foul and surface water drainage statement
 - Bin storage and collection provision Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 **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.