

7 AMBLESIDE CLOSE, FELPHAM, PO22 8NG

Erect three-bed detached dwelling

PLANNING STATEMENT

April 2021

Version: 1

Version control	Name	Date
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1. Introduction

- 1.1 This statement has been prepared on behalf of Ms C Bottomley (the applicant) and is submitted in support of a planning application to '*erect three-bed detached dwelling*' at 7 Ambleside Close, Felpham, PO22 8NG (the site).
- 1.2 This statement shows how the proposal addresses the provisions of development plan policies and relevant national and local material considerations.
- 1.3 The application comprises:
- Plans courtesy of Cloud 9 Design Studio, including:
 - 2.1 proposed layout and indicative 3D views.
 - 3.1 proposed floor and roof plans.
 - 4.1 proposed elevations.
 - 6.1 location plan and sections/street scene
- 1.4 The application is accompanied by:
- Biodiversity checklist.
 - CIL form 1.
 - Ecological assessment report.
 - Flood Map for Planning.

2. The application site and surrounds

- 2.1 The application site measures circa 0.04ha in size and is located on a corner plot within an established suburban cul-de-sac in the settlement boundary of Felpham. The existing parent dwelling, No. 7 Ambleside Close, is a semidetached, two-storey property set back from the road with a pedestrian pathway to the existing front door. A driveway extending to a pair of double gates leading to the rear garden is used as a driveway and for parking. This is demonstrated in figure 1.



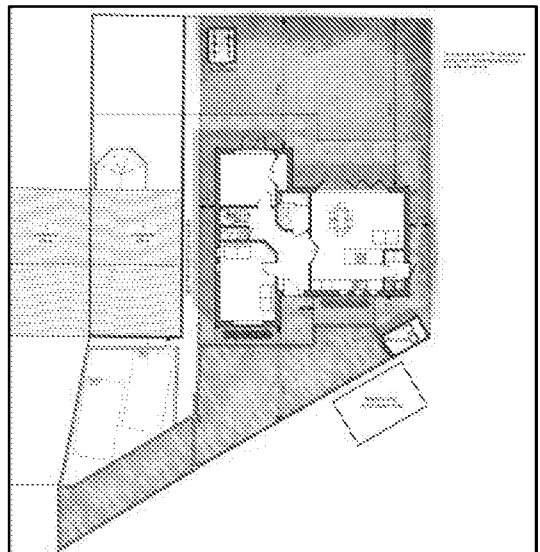
Figure 1: existing frontage onto Ambleside close (courtesy of Google street view)

- 2.2 The cul-de-sac appears to be of 1970s construction and features a mixture of detached and semidetached dwellings, predominantly two storeys in height, albeit there is a neighbouring semidetached chalet bungalow at Nos. 8 and 9 Ambleside Close. Dwellings are constructed in a mixture of brick, render and pebbledash, with concrete tile roofs. The topography is relatively flat.
- 2.3 Plot sizes vary within the local vicinity, with No.7's plot size exceeding those of neighbouring properties in terms of the width and depth. For example, No.7 has an amenity space (inclusive of garage) of circa 479sqm, which far exceeds that of neighbouring property No. 6 Ambleside Close, which has an amenity space of circa 139sqm, demonstrating the range of plot sizes in the immediate area.
- 2.4 Dwellings in the local vicinity are also either built up to their boundaries or are offset from their side boundaries by a small distance. While a high proportion of the surrounding residential area has a relatively uniform appearance, the area is far from homogenous. Notable exceptions include no. 8 Ambleside Close, which has a steeper sloped roof with a lower eaves height and a front and rear gable extension that differs from the area's characteristic dwellings that are two storeys in height, have gable roofs with a broader sloping front roof elevation and higher eaves.
- 2.5 The site is unconstrained by flood risk, heritage or protected trees. The site is located in flood zone 1 meaning that the site has a low probability of flooding and in an area of very low flood risk from surface water.

- 2.6 The site is not covered by any local plan designations relating to townscape or notable open space. The site is located within 0.3 miles of the nearest bus stop which is located on Outerwyke Road with the No.69 bus providing a service from Bognor Regis to North Felpham and Glenwood Estate. The site is also located 0.3 miles away from the bus stop Felpham, adj Firs Avenue, which provides services from Wick to Pagham, Elmer to Chichester, Flansham Park to Portsmouth and Littlehampton to Chichester by bus numbers 69, 600 and 700. The site is 2.5 miles from Bognor Regis train station providing access to the wider area, including London Victoria, Barnham, Littlehampton and London Bridge. This demonstrates the site's sustainable location.

3. Relevant planning history

- 3.1 Planning permission was refused under ref. FP/179/20/PL to erect '1 No 3 bedroom chalet bungalow' in November 2020 (see inset site plan excerpt). The Council's concerns related to harm to the character of the local area; perceived overlooking impacts on No. 8 Ambleside Close, the rear gardens of No. 7 Thirlmere Way and 14 Derwent Grove, and overbearing impacts on Nos. 3 and 5 Thirlmere Way; and insufficient information provided to allow consideration of biodiversity impacts.

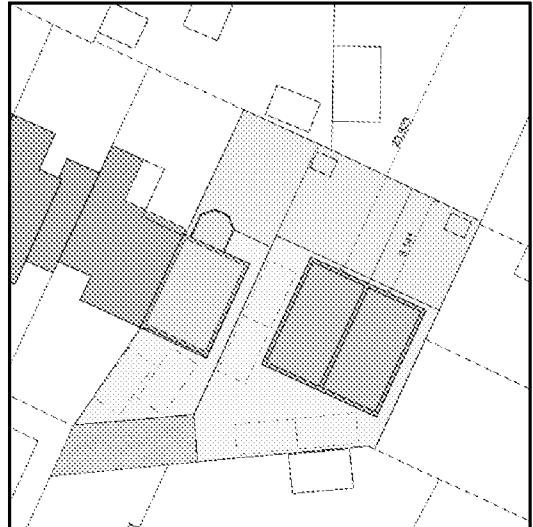


- 3.2 The applicant disagrees with the Council's decision, which is current the subject of an undetermined appeal. However, it is worth highlighting that the following aspects of the proposal were not in dispute:

- The site is suitable for residential development in principle, being in the built-up area boundary;
- Due to its corner location, the site is described in the case officer's report as a '*larger garden than neighbours*';
- The council cannot currently demonstrate a five-year supply of deliverable housing sites and therefore paragraph 11d of the National Planning Policy Framework is engaged and the policies for determining the proposal are considered to be out of date;
- The proposed development would not give rise to any unacceptable transport impacts, by virtue of access, parking, highway safety;
- The proposed development would not give rise to any unacceptable arboricultural impacts having had due regard to the neighbouring trees; and
- The proposed development would not give rise to any unacceptable flooding and/or drainage issues.

3.3 It is also worth noting that the deficit in housing land supply was acknowledged in the case officer's report, but limited weight was attributed to the net gain of one unit. The applicant's appeal statement respectfully refutes this stance and believes that a home in this location, when combined with other small sites in the local plan area, would provide a significant contribution to windfall and thus overall supply. This is particularly pertinent in the context of paragraph 68 of the NPPF which states that *'small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly'*. If all proposals for single dwellings in such highly sustainable locations were given the same treatment by the LPA, then addressing the significant shortfall would become an even greater challenge. As such, the applicant urges the Council to attribute considerable weight to the significant housing supply and delivery deficits.

3.4 Prior to the submission of the previous application, the applicant wished to engage positively with the Council through its pre-application advice service. The advice received ref. PAA/13/20 was for *'the subdivision of the existing residential plot and creation of 2 new 2 bed semidetached dwellings with associated off road parking'* (see inset site plan excerpt). The advice concluded that the scheme would likely be refused on the grounds that *'the proposal would not provide sufficient external space for future occupiers of the proposed dwelling and also result in a cramped appearance with the domination of on-site parking'*.



3.5 In terms of design, the case officer stated that the property should be brought forward on the plot as far as possible to achieve a 10m rear garden for family dwellings. The advice concluded:

'Developments must not result in unacceptably small gardens for either existing or proposed buildings. It is considered your proposal does not comply with this requirement... it might be possible to improve this by reducing the footprint of the proposed dwellings. However, I do not consider that there is any way of achieving appropriately sized rear garden areas and I consider this to be important to maintain character'.

3.6 Importantly – particularly in light of one of the reasons the Council ultimately refused planning permission – is the advice that:

'The proposed dwellings are of similar appearance and scale and would be unlikely to cause a significant loss of amenity to other neighbouring dwellings in terms of loss of privacy, daylight or overbearing impact on neighbouring properties...'

No fenestration is proposed in the east facing 1st floor of the dwelling on the eastern side of the plot. Windows here would be discouraged or if included should be obscure glazed and fixed shut’.

4. The proposed development

- 4.1 Although the applicant remains of the opinion that the appeal scheme is acceptable, they nevertheless recognise that the parcel of land is suitable for residential development and wish to address the Council’s concerns with a fresh proposal. Building upon the conclusions of the pre-application advice that the overall design and scale of a two-storey scheme was acceptable, this application comprises a two-storey dwelling of similar design to neighbouring houses. The indicative 3D view in figure 2 below shows how well the development would respect the scale of development in the street scene, while the buff bricks and concrete tile roof would complement neighbouring properties.



Figure 2: 3D image excerpt

- 4.2 Unlike the pre-app scheme, the proposal has been positioned to include a wall-to-boundary offset of around 6.4m and the western edge is no longer dominated by parking. A garden would wrap around the northern and eastern sides of the property, providing a grassed area some 16m deep and therefore far in excess of the 10m advised at the pre-app stage.
- 4.3 The generous offset from the boundaries would also ensure a comfortable relationship with neighbouring properties, thus overcoming concerns associated with the previously refused scheme.
- 4.4 The application is also accompanied by a biodiversity appraisal, which confirms that there are no protected species onsite and that biodiversity net gain is possible.

5. Relevant planning policy

National Planning Policy Framework and Planning Practice Guidance

5.1 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, requiring at paragraph 11 that plans and decisions should apply a presumption in favour of sustainable development. Sustainable development is defined as encompassing economic, social and environmental dimensions:

- An **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.2 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 explains that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.3 Paragraph 9 confirms that *'decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area'*.

5.4 Paragraph 38 requires councils to *'approach decisions on proposed development in a positive and creative way... and work proactively with applicants to secure development that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible'*.

- 5.5 The NPPF encourages the delivery of a wide choice of high-quality homes and widening the opportunity for homeownership and the creation of sustainable, inclusive and mixed communities (chapter 5). Paragraph 59 of the NPPF supports the Government’s objective of *‘significantly boosting the supply of housing’*, stating that *‘it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’*.
- 5.6 Paragraph 68 promotes the development of small and medium-sized sites, which *‘can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly... local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’*.
- 5.7 Paragraph 103 supports sustainable transport, stating that *‘significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes’*.
- 5.8 The NPPF makes clear that planning decisions should promote an effective use of land, encouraging multiple benefits, where possible. Development should take place at appropriate densities. Paragraph 123 advises that *‘where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site’*.
- 5.9 Paragraph 124 places great importance of good design, which is a key aspect of sustainable development. Paragraph 127 sets out that decisions should ensure developments:
- Will function well and add to the overall quality of the area;
 - Are visually attractive;
 - Are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change;
 - Establish or maintain a strong sense of place;
 - Optimise the potential of the site; and
 - Create places that are safe, inclusive and accessible.
- 5.10 Paragraph 130 goes on to state that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development’*.

5.11 Planning Practice Guidance (PPG) provides further context on design principles¹, confirming that the National Design Guide² sets out the characteristics of well-designed places and demonstrates what good design means in practice. The following sections of the guide are relevant to this appeal:

- Context – enhances the surroundings.
- Identity – attractive and distinctive.
- Built form – a coherent pattern of development.
- Movement – accessible and easy to move around.
- Nature – enhanced and optimised.
- Homes and buildings – functional, healthy and sustainable.
- Resources – efficient and resilient.
- Lifespan – made to last.

5.12 The picture excerpt below in figure 3 illustrates how the different design principles interact.

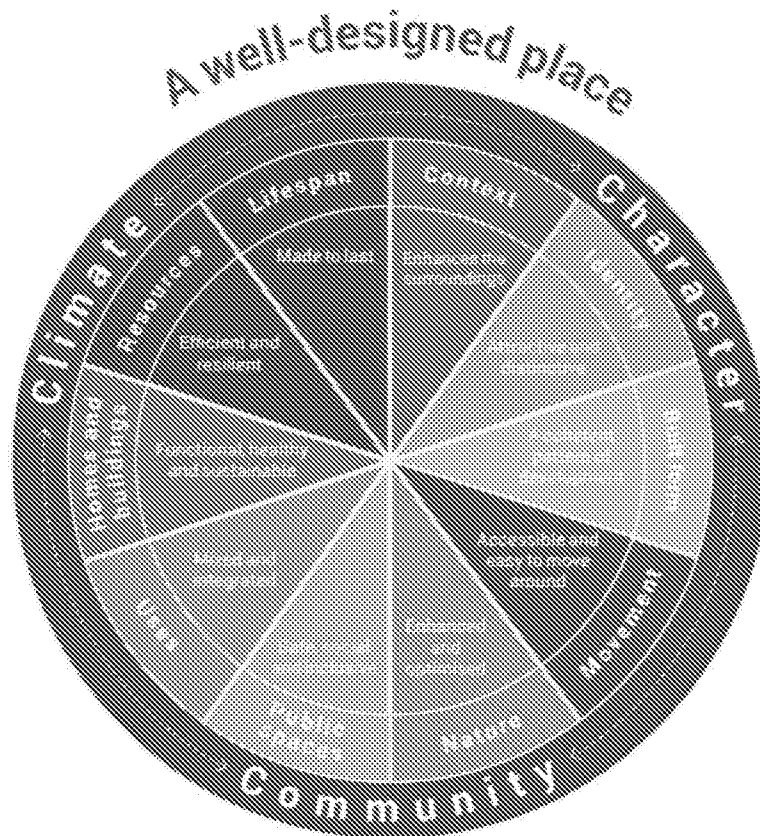


Figure 3: National Design Guide Excerpt

5.13 The guide confirms at paragraph 21 how:

¹ Ref ID: 26-001-20191001

² <https://www.gov.uk/government/publications/national-design-guide>

'a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels including:...

- **Layout:** *how routes and blocks of development are arranged and relate to one another... it defines the structure or settlement pattern; the grain; and the broad distribution of different uses and their densities or building heights.*
- **Form:** *the three-dimensional shape and modelling of buildings and the spaces they define, including size and shape; height; bulk (volume); and massing (how the bulk is shaped into a form).*
- **Scale:** *the height, width and length of a building in relation to its surroundings. It relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings.*
- **Appearance:** *the aspects of a building or space within the development which determine the visual impression the building or space makes. This includes the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.*
- **Landscape:** *the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. It includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape in terms of trees, shrubs and other planting.*
- **Materials:** *the scale, form and appearance of a building influence what materials may be appropriate for its construction. Materials should be practical, durable, affordable and attractive.*
- **Detailing:** *the individual components and how they are put together.*

Development Plan

5.14 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan includes:

- The Arun Local Plan 2011-2031 (adopted 2018); and
- Felpham Neighbourhood Plan 2013-2029 (adopted 2014)

Arun Local Plan 2011-2031

5.15 The Local Plan set outs the strategic objectives of the Arun Local Plan to be achieved by 2031. Those of relevance to this application include:

- *'To reduce the need to travel and promote sustainable forms of transport*

- *To plan for climate change; to work in harmony with the environment to conserve natural resources and increase biodiversity; and*
- *To plan and deliver a range of housing mix and types in locations with good access to employment, services and facilities to meet the District's housing requirements and the needs of Arun's residents and communities both urban and rural, ensuring that issues of affordability and the provision of appropriate levels of affordable housing are addressed while supporting the creation of integrated communities'.*

5.16 Policy SD SP1 (Sustainable Development), in line with paragraph 11 of the NPPF, states that *'when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland)'.*

5.17 Policy SD SP1a (Strategic Approach) aims to maintain the District's unique character as a coastal location set against the South Downs whilst ensuring that the needs of the community are met through sustainable growth and the provision of suitable services. The spatial strategy for Arun District to 2031 is to provide for the housing needs of the community by delivering 20,000 homes of an appropriate scale and tenure.

5.18 In line with policy SD SP2, development should be focused within the 'Built Up Area Boundaries'. The application site is within the built-up area.

5.19 In accordance with policy LAN DM1 (Protection of Landscape Character), the historic character and development pattern of settlements within the district should be respected, taking into account their distinct identity and setting.

5.20 Policy H SP1 (The Housing Requirement) has regard to the housing need of at least 20,000 new homes in the district in the plan period 2011 to 2031. However, as set out below, the most recent monitoring report suggests that the five-year housing land supply rests at just 3.3 years, with an eye-watering shortfall of 3,480 homes to fill. In addition, the 2020 Housing Delivery Test results showed an average delivery over the last three years of just 61%. The presumption in favour of sustainable development is thus truly engaged.

5.21 Policy D SP1 (Design) states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from a thorough site analysis and context appraisal, adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, useability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development.

5.22 Policy D DM1 (Aspects of Form and Design Quality) states that the Council will have regard to:

- *'Character: making the best possible use of available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features.*
- *Appearance/ attractiveness: demonstrating a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.*
- *Have minimal impact to users and occupiers of nearby property and land. For example by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.*
- *Innovation: raise standards of design by embracing appropriate innovative design, new technologies and construction techniques, where a development proposal has the potential to do so.*
- *Solar Gain: within the constraints of the site and local context development proposals should, maximise sunlight and passive solar energy. Ideally development should be positioned broadly south, with streets having an east west pattern.*
- *Density: the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings.*
- *Scale: the scale of development should keep within the general confines of the overall character of the locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.*
- *Aspects of form and design quality: the development should comply with the Arun District Council Design Guide'.*

5.23 Policy D DM2 (Internal Space Standards) states that internal spaces must be of an appropriate size to meet the requirements of all occupants and their changing needs.

5.24 Policy ENV DM5 (Development and Biodiversity) requires developments, in the first instance, to seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats. Where there is evidence of a protected species on a proposed development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid the loss of species. This involves consideration of any impacts that will affect the species directly or indirectly, whether within the application site or in an area outside of the site, which may be indirectly affected by the proposals. All surveys shall be carried out at an appropriate time of the year and shall be undertaken by a qualified and, where appropriate, suitably licensed person.

5.25 Policy QE SP1 (Quality of the Environment) requires that all development contributes positively to the quality of the environment and will ensure that development does not have

a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District. The location of existing industrial and commercial uses, including waste management uses, must be taken into consideration when assessing proposals for development sensitive to noise, light, odour and outputs to air.

Felpham Neighbourhood Plan

- 5.26 Policy ESD1 (Design of New Development) says that *‘new development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location’*.
- 5.27 Policies ESD4 (Code for Sustainable Homes) and ESD11 (Increasing the Energy Efficiency of our Buildings) have now been superseded by the Building Regulations.
- 5.28 Policy ESD8 (Building Design) requires new buildings to *‘reflect the design principles of their time’*.
- 5.29 Policy ESD9 (Tree Protection) states that *‘development that damages or results in the loss of ancient trees of arboricultural and amenity value will not be permitted. Development proposals must be designed to retain ancient trees or trees of good arboricultural and amenity value. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and a management plan to demonstrate how they will be so maintained’*.
- 5.30 Policy ESD10 (Design Details) states that features such as bin stores and recycling facilities, cycle stores, meter boxes, lighting, flues and ventilation ducts, gutters and pipes, satellite dishes and telephone lines must be considered early in the design process and integrated into the overall scheme.

Community Infrastructure Levy

- 5.31 The site is located within Zone 4 and will attract a rate of CIL of £100/sqm (index linked).

SPDs

Arun District Design Guide

- 5.32 The Arun District Design Guide sets out the Council’s expectations with regard to the design quality of new development, and for the preservation and enhancement of distinctive character and qualities that can be found within the district.
- 5.33 Section G.03 has regard to layout and plot size. It states that clarity of layout should be achieved through the careful arrangement of buildings and spaces, which should take priority over roads and parking so that highways do not dominate. For the purpose of privacy and to avoid overlooking, the minimum back-to-back dimension should be informed by the 25

degree rule to ensure proper provision of sunlight and daylight. The back-to-side distances between buildings should be informed by the 45 degree rule.

- 5.34 Development should respond to the grain of the existing development in terms of plot and block size and positioning of the building line. It should integrate existing site features including topography, landscape features and building layout. Buildings should be positioned to take advantage of daylight and sunlight, and shelter from prevailing winds.
- 5.35 Section H.01 has regard to welcoming streets and spaces, stating that *'most well-designed places incorporate a good sense of definition and enclosure, enabling places to be experienced as 'contained' and structured'*.
- 5.36 Section H.04 has regard to residential outdoor amenity and external space standards, stating that all development should provide residents with access to outdoor amenity space. Privacy should be ensured by using the 25 degree rule and 45 degree rules in order to minimise overlooking, as outlined above. 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. Other innovative design solutions to smaller private rear gardens may also be acceptable in specific circumstances when justified. Building frontages should generally be set back at least 2m from the plot boundary to mark defensible space. However smaller set backs that demonstrate sufficient design quality may be accepted in specific circumstances, where justified. Separation distances between habitable rooms advises 21m between back-to-back and 14m to the side. However, the guidance goes on to note that these standards are applicable in the majority of cases, but innovative approaches to more compact building layouts may be supported by the LPA where appropriate. The site should also provide external access to rear gardens where needed avoiding long, narrow alleyways.
- 5.37 Section P.01 has regard to infill development (*'Infill developments are schemes located within an existing built-up area'*). Surrounding buildings and spaces must inform appropriate infill design response in order to contribute to a sense of cohesion and unity. New schemes should emulate the established pattern of building height, scale, plot width, boundary treatment and building line along the edge of the plot and continue the rhythm of the street by repeating key elements such as chimneys, porches, windows, doors and walls. Materials and details should be complementary to the surrounding area.
- 5.38 The guidance notes how infill schemes present a valuable opportunity to increase the efficiency of land use in existing urban areas and provide housing. This should not lead to over-development and over-intensification of building plots. Development must also avoid adverse impacts on the privacy, noise pollution and overshadowing of existing or proposed dwellings. Infill development should provide sufficient access to new dwellings and incorporate appropriate car and cycle parking as per the Arun District Parking Standards SPG. Infill developments must aim to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context. Infill development should give consideration to the effects on the existing character and appearance of the streetscape, and how this may be enhanced or preserved. This has

regard to building line, building spacing, heights, scale and massing, boundary treatment, materials, architectural image, parking, external space and outlook. The development should follow the established building line, respecting the character, height, form and massing of surrounding buildings. The roofs should match the pitch and orientation of those in the existing street scene. Development should pay close attention to amenity and overlooking issues.

- 5.39 Section S.01, New Homes, states that while homeowners do not have a right to uninterrupted views, nor outlook from their property over neighbouring land, it is expected that proposed development will respect neighbouring amenity and not be overly dominant.
- 5.40 Section J.02 has regard to scale and massing. It states that the appropriate scale for new buildings should be determined by their context, their location within the order of streets, and their function and positioning, and should avoid overshadowing of neighbouring properties.
- 5.41 In order to ensure the privacy of residents, building separation distances between habitable rooms that are 21m or above will not require any additional measures to achieve a reasonable level of privacy. If the building separation distances between habitable rooms are between 16-20m then design initiatives such as offsetting windows and landscape screening should be used. If the building separation distances between habitable rooms is 15m or less multiple design initiatives are likely to be necessary, such as staggered facades, recessed balconies, mature landscaping and louvres on windows.
- 5.42 All development, particularly residential uses, should ensure that amenity space is not compromised by unacceptable noise or overshadowing. Care should be taken to maximise sunlight into habitable rooms and to avoid overshadowing through building orientation and configuration, particularly in higher density areas. Habitable room windows should be at least 14m from the flank wall of the neighbouring property.

Housing land supply

- 5.43 The latest published monitoring data³ shows that the Council cannot demonstrate a five-year supply of deliverable housing, with the current supply being 3.3 years. This means that paragraph 11 of the NPPF is engaged, which states that *'where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. 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'.*

³ <https://www.arun.gov.uk/download.cfm?doc=docm93jlm4n16230.pdf&ver=16758>

5.44 Although the site is covered by a neighbourhood plan area, paragraph 14 of the NPPF makes clear that the presumption in favour still applies if that neighbourhood plan is more than two years old. In this case, the Felpham Neighbourhood Plan was adopted in 2014 and is therefore more than two years old.

Housing Delivery Test 2020

5.45 The results of the most recent Housing Delivery Test show that the LPA has delivered only 61% of its target of homes over the past three years. Regardless of the housing land supply deficit, this on its own would trigger the tilted balance of the presumption in favour of sustainable development.

6. Consideration of the proposal

6.1 As set out in the review of the site's planning history above, the following factors do not appear to be disputed by the Council:

- The site is suitable for residential development in principle, being in the built-up area boundary;
- Due to its corner location, the site is described in the previous case officer's report as a *'larger garden than neighbours'*;
- The Council cannot currently demonstrate a five-year supply of deliverable housing sites by a very considerable margin and therefore paragraph 11d of the National Planning Policy Framework is engaged and the policies for determining the proposal are considered to be out of date;
- The proposed development would not give rise to any unacceptable transport impacts, by virtue of access, parking or highway safety;
- The proposed development would not give rise to any unacceptable arboricultural impacts having had due regard to the neighbouring trees; and
- The proposed development would not give rise to any unacceptable flooding and/or drainage issues.

6.2 As the principle of development is accepted by the Council, it is considered that the substantive issues relating to this application are:

- Visual amenity
- Residential amenity
- Biodiversity

Visual amenity

6.3 The Council's pre-application advice was generally favourable towards the design and scale of the tabled two-storey scheme. The advice drew attention towards local plan Policy D DM1, which says that development should reflect the character of the site and the surrounding area in terms of scale, massing, aspect, siting, layout, density, materials, landscaping and design

features. The advice received also referred to repositioning built form to achieve a 10m deep rear garden.

- 6.4 The subsequent planning application was refused on grounds of harm to the character of the local area by virtue of the proximity to neighbouring dwellings and the 'substantial' scale of the chalet bungalow.
- 6.5 As can be seen from the proposed site plan and street scene excerpts in figures 4 and 5 below, the two-storey dwelling would reflect the design and scale of neighbouring properties, while the positioning of built form further towards the southwest of the plot responds positively to the pre-application feedback. The proposal for a single unit also means that parking would not dominate the frontage.

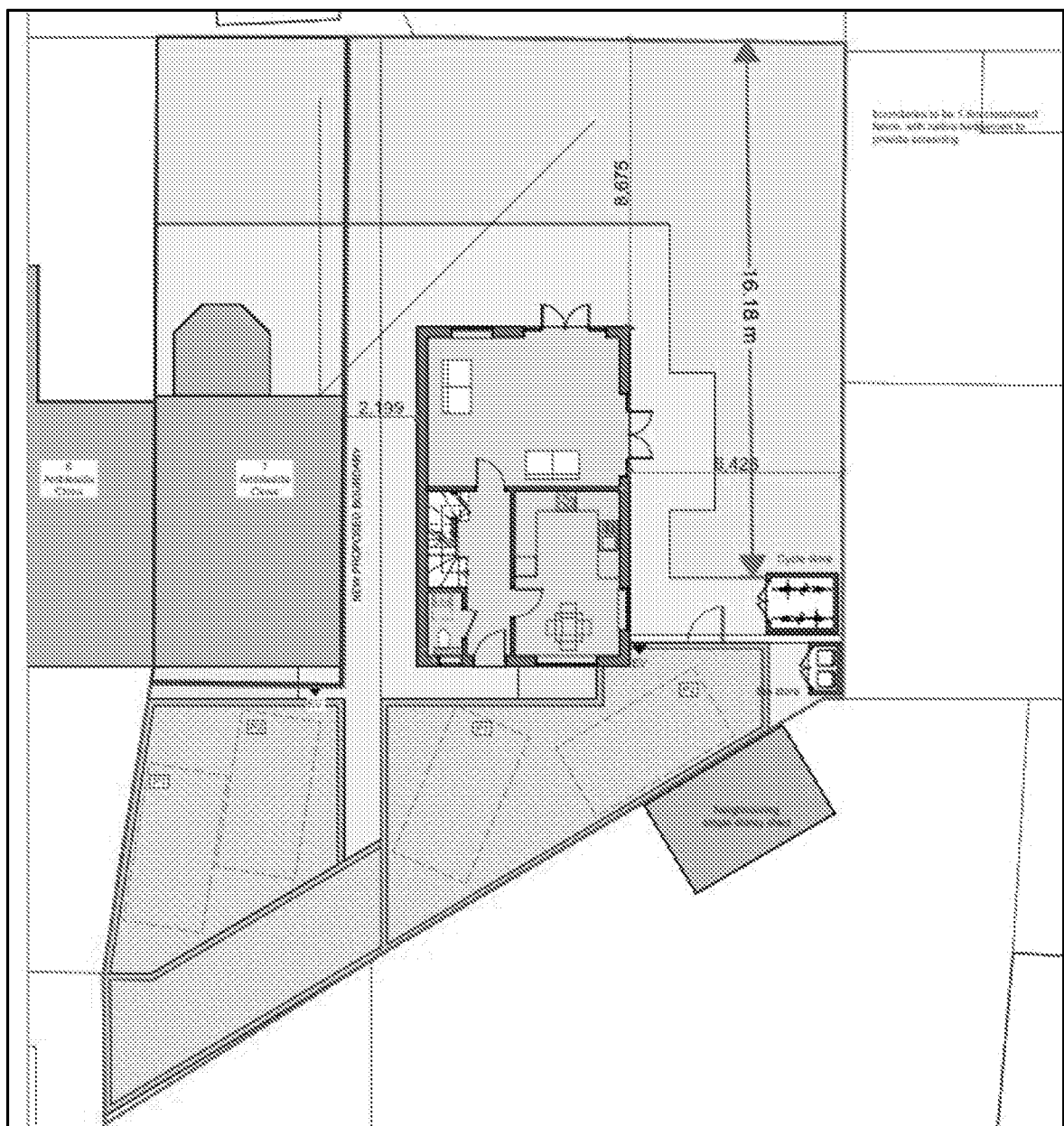


Figure 4: site plan excerpt

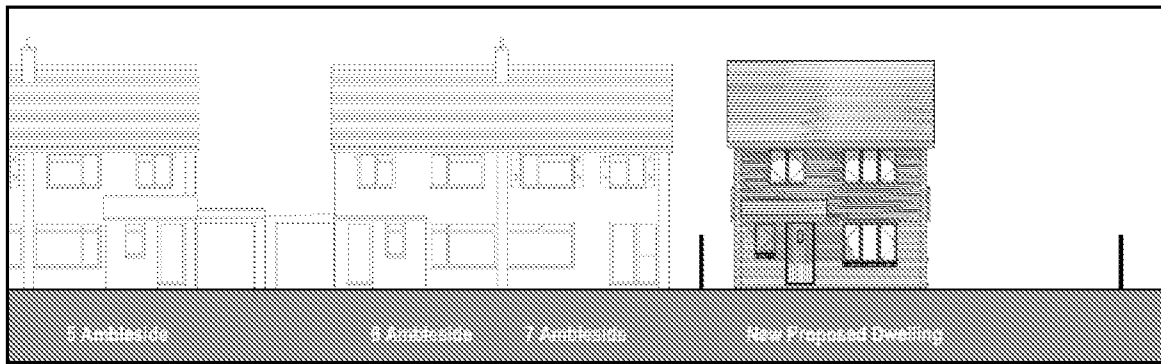


Figure 5: street scene excerpt

- 6.6 As figure 4 shows, the development would lead to a garden some 16m deep on the eastern flank. This addresses the concerns about the garden depth raised at pre-application stage and also contributes to a feeling of openness that the Council felt was lacking with the previous application. Figure 5 then shows how well the scheme would reflect the proportions and form of its neighbours to the west, with the brick and tile finish complementing these properties and according with the requirement of neighbourhood plan Policy ESD8 (Building Design) to *'reflect the design principles of their time'*. The cedar weatherboard would add a modern twist, which would offer a small degree of variation in the street, at the same time as complementing the light-coloured paint at first-floor level on No.7.
- 6.7 It is worth noting that the eaves and ridge heights would be very marginally taller than No.7, but only in the order of c.15cm. This is in order to provide sufficient headroom, but in any case would not be discernable when viewed from street level.
- 6.8 As can be seen from the location plan excerpt in figure 6 below, the offset from the northern boundary reflects the properties to the west and therefore the proposal positively responds to the aspect, siting and layout of neighbouring properties in line with Policy D DM1.

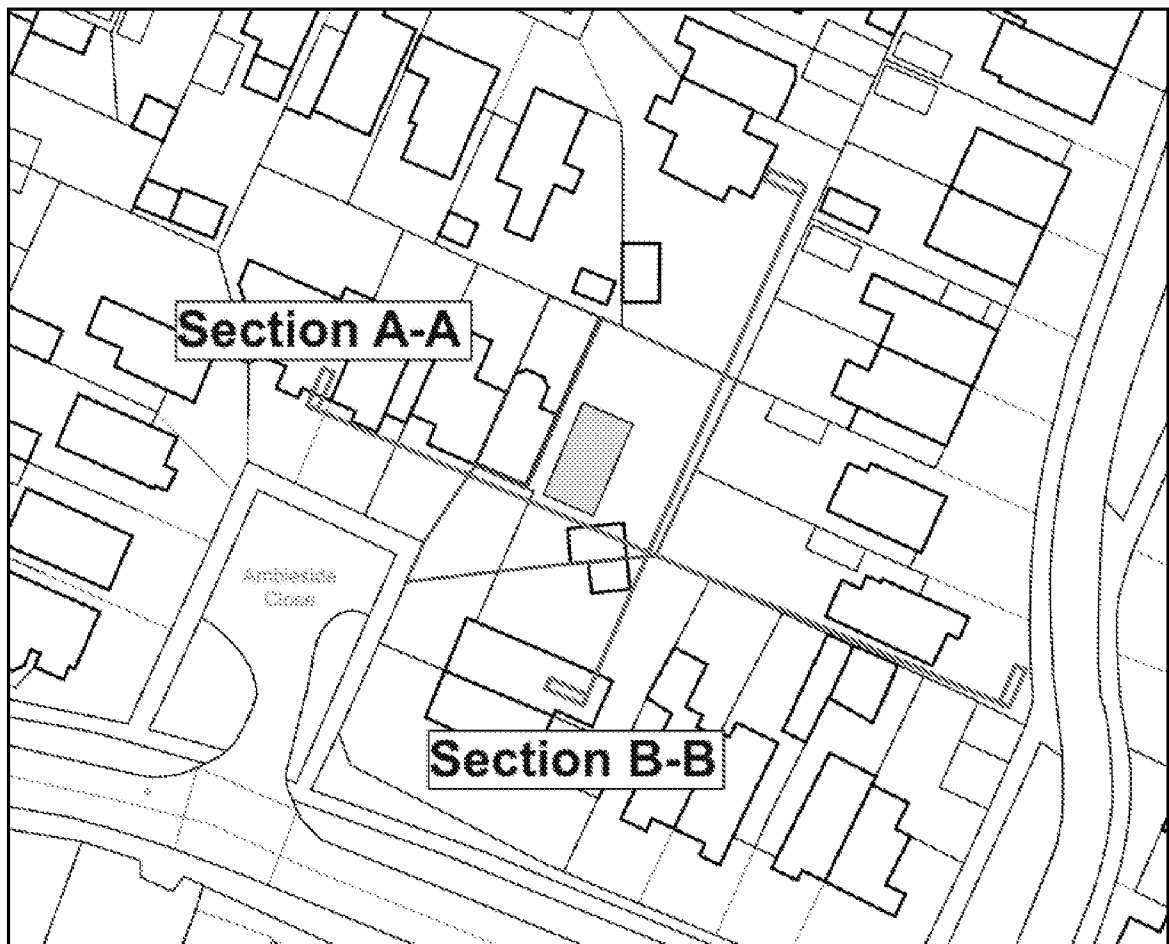


Figure 6: location plan excerpt

6.9 Figures 5 and 6 also serve to illustrate the non-uniform separation distances between dwellings in the cul-de-sac, which are either built up to their boundaries, or are offset from their side boundaries by a small distance. The proposal would result in an offset of c.6.4m from the eastern boundary (which is uncharacteristically generous) and c.2.2m from the western boundary. This would provide a respectful degree of separation that complements the varying separation distances experienced in the locality.

6.10 Given the above factors, it is considered that the proposed development fully overcomes the Council's concerns raised at the pre-application stage and through the refused application. Objections in terms of visual amenity are thus overcome.

Residential amenity

6.11 At the pre-application stage, the Council made clear that a proposed pair of two-storey dwellings situated further north and east in the plot than this current proposal '*would be unlikely to cause a significant loss of amenity to other neighbouring dwellings in terms of loss of privacy, daylight or overbearing impact*'.

6.12 The above shows a stark inconsistency with the Council's treatment of the subsequent planning application for a chalet bungalow, which would have a lower ridge height, but was

proposed in a similar position within the plot to the pre-app scheme. Rather than repeat the arguments advanced by the appellant through the undetermined appeal, the applicant would instead wish to endorse the observation made at the pre-app stage that developing the site would not lead to any amenity concerns.

- 6.13 Nevertheless, for completeness, it is worth discussing the current proposal in the context of the Council's concerns with the refused scheme. The decision notice cited specific harm for No. 8 Ambleside Close, the rear gardens of No 7 Thirlmere Way and 14 Derwent Grove, and a perceived overbearing presence for Nos. 3 and 5 Thirlmere Way. Each is addressed below.

No.8

- 6.14 It is important to recognise that this is a suburban location where a degree of mutual overlooking would be expected – indeed, close relationships and mutual overlooking are evident throughout the locality. A particular concern highlighted in the case officer's report was in respect of the view into No. 8's side garden, which in the case of this fresh scheme would be over a distance of c.14.7m. The proposed first-floor bedroom window would, however, look towards the hard standing where the neighbour sites their vehicles and that this is a very similar relationship to that currently seen between No. 8 and No. 7. It is difficult to recognise how this would fail the policy test of having a '*significantly negative impact upon residential amenity*' and the applicant respectfully believes that the Council's previous objections cannot be sustained. The photograph in figure 7 below shows a first-floor window within the gable of No.8 and although online planning records do not reveal what this window serves, it does appear to be secondary and with the primary outlook through the dormers to the east and west. Equally, it is important to recognise that the Council did not raise any objections in terms of impacts on this window with either the pre-app or refused scheme.



Figure 7: photograph showing the gable of No.8

6.15 Given the above, it is considered that a comfortable relationship with No.8 would endure.

Rear gardens of No 7 Thirlmere Way and 14 Derwent Grove

- 6.16 7 Thirlmere Way is situated to the northeast of the proposed dwelling and no first-floor windows are proposed that would afford direct views towards this property. The angle of sight from the proposed first-floor dormer serving bedroom two would be very tight and any oblique views would be towards the less used, lower end of the garden. This would not be considered a *'significantly negative impact upon residential amenity'* set out in Policy QE SP1.
- 6.17 Having regard to 14 Derwent Grove, the plan excerpt in figure 7 below shows a wall-to-wall separation of c.24.25m and whilst a degree of overlooking towards the rear garden may be possible, it would be at distance. Furthermore, it must be recognised that this is a suburban location, where a degree of mutual overlooking is expected. There are numerous examples of similar relationships in the locality, for example between Derwent Grove, Ambleside Close and Thirlmere Way. Again, given this context, it is impossible to see how this would result in a *'significantly negative impact upon residential amenity'*.

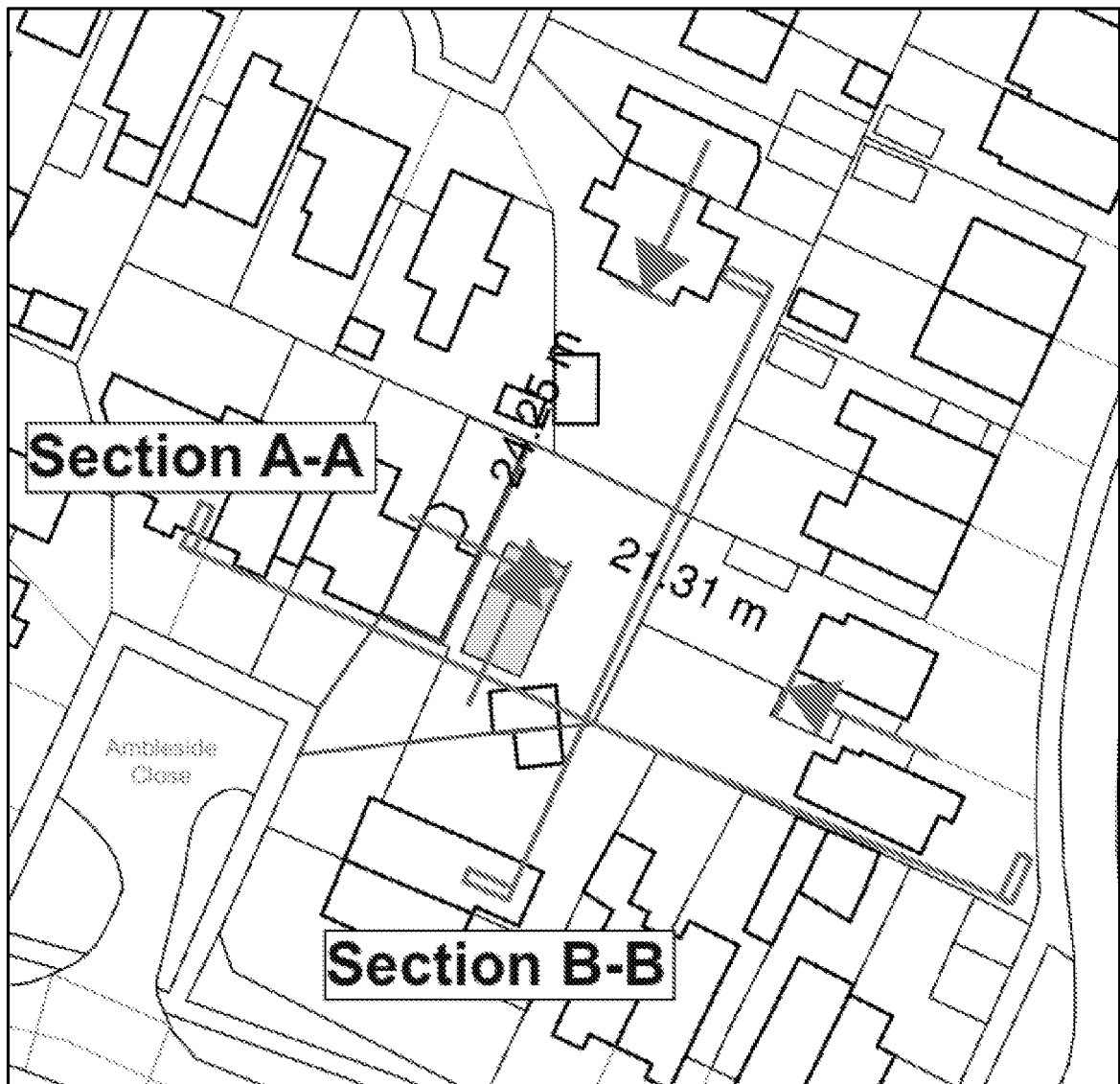


Figure 7: plan excerpt showing the relationship with 14 Derwent Grove

Overbearing for Nos. 3 and 5 Thirlmere Way

- 6.18 No first-floor windows are proposed in the side elevation facing the neighbours at Thirlmere Way and a wall-to-wall distance of c.21.3m would separate the proposed dwelling from the closer of the two (No.5), such that it is difficult to see how it would be harmfully overbearing. A small, obscure glazed, first-floor window is proposed in the eastern gable of the dwelling, but this would not lead to any overlooking. As such, it is considered that a comfortable relationship with these neighbouring properties would subsist.
- 6.19 In summary, taking into account the separation distances from neighbouring properties; the fenestration arrangement; and the fact that this is a suburban environment, the analysis above shows that a comfortable relationship with neighbours would continue. The policy test set out in Policy QE SP1 (Quality of the Environment) of the local plan requires that all development contributes positively to the quality of the environment and will ensure that development does not have a '*significantly negative impact upon residential amenity*'. That is certainly the case here.

Biodiversity

- 6.20 The decision notice accompanying the refused scheme says that insufficient information was provided to enable the LPA to consider the impact on protected species and whether development would result in biodiversity net gain. The applicant has therefore commissioned an ecological assessment report, which is submitted for consideration alongside this application.
- 6.21 The submitted report finds no evidence of any protected species onsite and identifies mitigation measures, as well as planting that would achieve biodiversity net gain. The Council's concerns are thus overcome.

7. Conclusion

- 7.1 This statement has been prepared on behalf of Ms C Bottomley and is submitted in support of a planning application to '*erect three-bed detached dwelling*' at 7 Ambleside Close, Felpham, PO22 8NG.
- 7.2 The proposal presents a sustainable form of development, contributing to the economic, social and environmental wellbeing of Arun district:
- The proposed design and scale are entirely appropriate and in keeping with local character;
 - No harm to townscape character would result from this proposal;
 - The design has been carefully conceived to avoid harm to neighbour amenity and ensure that a comfortable relationship subsists;
 - No harm to biodiversity would arise and the scheme would lead to biodiversity net gain; and
 - The proposed dwelling would make more efficient use of urban land in a highly sustainable location, contributing towards the LPA's substantial deficit in housing land supply.

7.3 This statement serves to demonstrate how the proposal complies with policies set out within the Development Plan, as well as relevant national and local material considerations. The proposal would actively contribute towards the realisation of the following spatial objectives:

- *'To reduce the need to travel and promote sustainable forms of transport;*
- *To plan for climate change;*
- *To work in harmony with the environment to conserve natural resources and increase biodiversity; and*
- *To plan and deliver a range of housing mix and types in locations with good access to employment, services and facilities to meet the District's housing requirements and the needs of Arun's residents and communities both urban and rural, ensuring that issues of affordability and the provision of appropriate levels of affordable housing are addressed while supporting the creation of integrated communities'.*

7.4 In accordance with the NPPF, consideration needs to be given as to whether the proposals constitute sustainable development, for which there is a presumption in favour of planning permission being granted. In this case the proposal is sustainable for the following reasons:

- From an economic perspective, the proposals would make a better use of this highly accessible site, with a potential beneficial impact for the local economy.
- From a social perspective, the proposals would provide a high-quality home, which is of an appropriate design and responds well to the character of the area.
- From an environmental perspective, it has clearly been shown that the proposals preserve the character and appearance of the area and would result in no harm to biodiversity.

7.5 For the reasons set out above, the applicant respectfully requests that this application be determined favourably.