

Recommendation Report for Planning Permission

REF NO: A/104/19/RES

LOCATION: Crete Nursery
Dappers Lane
Angmering
BN16 4EN

PROPOSAL: Approval of reserved matters following A/178/17/OUT for the demolition of existing outbuildings with retention of existting dwelling & erection of 6 No. dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application follows outline approval A/178/17/OUT which included the reserved matter of Access.
The proposal provides details of appearance, landscaping, layout and scale for the retention of the existing dwelling and the construction of 6 dwellings.

SITE AREA 0.61 hectares.

RESIDENTIAL DEVELOPMENT DENSITY (NET) 11 dwellings per hectare.

TOPOGRAPHY Predominantly flat.

TREES There is an oak tree on the southern side of the entrance to the site and a belt of hornbeam trees along the northern boundary.

BOUNDARY TREATMENT 1m high ranch style fencing to road frontage and hedging approx. 1.5m. Hedging to approx. 4m to southern access road and eastern boundary reducing to approx. 3m height toward the northern boundary which consists of a tree belt.

SITE CHARACTERISTICS The site is situated outside of the built up area of Angmering and is occupied by a detached two storey brick dwelling with a tiled roof with home paddocks given its original use as a farmhouse. To the east of the dwelling are stables and a sand school with the northern part of the site given over to a grass paddock for the equestrian use.

CHARACTER OF LOCALITY Rural with sporadic residential development to the east of Dappers Lane. A strategic housing development for 565 dwellings to the east of the site has been granted outline planning permission. To the north and south of the site are former nurseries used largely for commercial purposes with open fields to the east of the site. To the west of Dappers Lane is residential development within the built up area boundary.

RELEVANT SITE HISTORY

A/178/17/OUT

Outline application with some matters reserved for the demolition of existing outbuildings, retention of 1 No. dwelling & the erection of 6 No. dwellings. This application is a Departure from the Development Plan.

ApproveConditionally
17-01-18

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Parks and Landscapes
Arboriculturist
WSCC Strategic Planning
Engineering Services Manager
Engineers (Drainage)
Environmental Health
Listed Building Officer
Ecology Advisor
Archaeology Advisor

CONSULTATION RESPONSES RECEIVED:

ADC Tree Officer - No objection subject to conditions.

ADC Parks and Landscapes - No objection to landscaping scheme submitted.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN
OUTS BUILT AREA

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

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.

The Angmering Neighbourhood Plan (ANP) has been made and the policies HD4: Materials, HD5: Built Form, HD6: Housing Layout & Design and HD8: Parking for New Developments of the Angmering Neighbourhood Plan are considered relevant.

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 the development would be sympathetic to the character of the area and would not cause a loss of residential amenity to neighbouring properties.

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

The principle of development was established in outline application A/178/17/OUT and therefore the key policy considerations in the determination of this application are policies D DM1, D DM2 and D SP1 of the Local Plan; Policies HD4: Materials, HD5: Built Form and HD6: Housing Layout & Design and HD8: Parking for New Developments of Angmering Neighbourhood Plan and the NPPF.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM2 seeks to ensure that minimum space standards for new dwellings are adhered to.

Policy D SP1 - 'Design' states that all development proposals should seek to make efficient use of land and reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy HD4 of the Angmering Neighbourhood Development plan seeks to ensure that development requiring planning permission which, by virtue of their materials, are inharmonious with the area, are refused.

Policy HD5 of the Angmering Neighbourhood Development Plan states that proposals should demonstrate their consideration of the proposal on its surrounding. This means that the proposed development should conform to the existing built form of the area, and constitute a positive addition to the current style, and mix. New development must integrate well with the character of the locality, and its landscape setting. Finally, it should not adversely impact upon the landscape setting, or any views in or out of the South Downs National Park.

Policy HD6 of the Angmering Neighbourhood Development Plan sets out criteria for the housing layout and design principles of proposed development. Proposals should demonstrate a high quality design, reflect local distinctiveness and incorporate local design features evident in buildings in the locality. Retention of trees and hedgerows is also encouraged.

Policy HD8 supports the WSCC parking standards and encourages all new development to follow them.

Section 12 of the NPPF refers to high quality buildings and places being fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to work and live. Paragraph 131 of the NPPF states that in determining applications great weight should be given to outstanding, innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The matters for consideration in this application are Scale, Layout, Appearance and Landscaping.

SCALE

The dwelling sizes demonstrate acceptable dwelling to plot ratios which are similar to those adjacent to

the site. The size of the plots are therefore considered to be acceptable and to accord with policy HD7 of the Neighbourhood Plan. The area is characterised by 2 storey development and the dwellings would not therefore look out of place. The area is also characterised by detached dwellings and the proposal would replicate this dwelling type.

LAYOUT

The layout of the dwellings would be generous with adequate space between dwellings at the front and rear and would be staggered creating an informal appearance. Both of these features of the layout would complement the semi rural character of the site.

APPEARANCE

The application site is situated to the east of Dappers lane and is screened by mature hedgerow and tree belt boundaries This serves the existing house and home paddocks. The new dwellings will be located a minimum of 10 metres from Dappers Lane such that the proposed development will have limited presence within the street scene when viewed from Dappers Lane. The backdrop of the new dwellings to the northern boundary would be a substantial row of hornbeams and a large oak tree which is located centrally within the existing dwellings front garden. These trees are protected by a tree preservation order such that it is considered that the street scene will retain a semi rural character.

The design of the new houses is suitable given the verdant, semi rural character of the site using barn like weatherboarding and large central fenestration apertures such that the proposal would not erode the character of the site. The roofing material would comprise grey concrete roof tiles and the elevations would be grey cedar cladding. Although cladding (weatherboard) is not a dominant material in this location, there is a mix of materials used and in particular weatherboard is the predominant facing material of dwellings on Merryfield Crescent and Beach View nearby, with no dominant style or material characterising the dwellings in the wider area.

The site visually is very much a self contained site due to its landscaped boundary and set back from Dappers Lane and even in the event of prospective further development on strategic sites in the vicinity of the development the character of the development would match the character of the site and have an acceptable impact on visual amenity in the surrounding area.

The proposal would therefore be complementary in appearance particularly given the somewhat isolated nature of the cul-de-sac set against a back drop of trees and high hedges. Compliance with policy DDM1 and DSP1 of Arun Local Plan and policies HD4 Materials, HD5 Built Form, HD6 Housing Layout and Design has therefore been demonstrated.

LANDSCAPING

A landscaping scheme has been submitted that incorporates existing hedging and trees on the site which is considered acceptable by the Council's Landscape Officer. The Council's Tree Officer is satisfied that the plans will protect existing trees on site.

RESIDENTIAL AMENITY

Arun District Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the ANDP policies specifically refer to residential amenity issues. However, one of the 'core planning principles' of the NPPF is to always seek to secure a high standard of amenity for all existing and future users (paragraph 127).

The dwellings are well spaced out on their individual plots and have strong gable ends with only toilet and bathroom windows facing toward each other which would be conditioned to be obscure glazed and

non opening below 1.7 metres.

To the north the gardens would be in excess of 20 metres in length such that future development at Merry England to the north would be unaffected by the proposed dwellings in terms of residential amenity impacts.

To the south the dwellings of plots 5 and 6 would have rear gardens of 13.6 metres which would face the rear garden of Woolven House beyond an access road and 2 sets of 1.8 metre fences and an existing 4 metre high hedgerow such that no significant loss of privacy, loss of light or overbearing impact would be caused.

It is therefore considered that no materially adverse overbearing results would result to the adjacent residential dwellings, their gardens and the proposed dwellings would have a good standard of residential amenity. The proposal is considered to comply with policy D DM1 of the Arun Local Plan in this respect.

INTERNAL SPACE STANDARDS

The dwellings would have a minimum Gross Internal Floor Area of 159 m² which would accord with the Nationally Described Space Standards for 4 bedroom, 2 storey, 8 person houses and the proposal accords with policy D DM2 of the Arun Local Plan..

ACCESS AND PARKING

Policy T SP1 of the Arun Local Plan 2011 - 2031 discusses transport issues including safe highway access.

Policy TM1 of the ANDP requires that new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of traffic generated both during development and on completion demand. Policy TM2 gives support to proposals which improve or extend existing footpaths, footways or cycleways. Policy HD8 encourages all developments to meet West Sussex County Council parking standards

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe".

The access has already been approved as part of the outline application .

In terms of car parking, the layout indicated is likely to provide an acceptable level of car parking with each property providing a minimum of 3 car parking spaces including the garage.

The application has been assessed by WSCC Highways who do not have any objections to the use of the access and do not consider that the impact of the proposals on the operation of the highway network will be severe. The application is therefore considered to comply with paragraph 109 of the NPPF.

It is not therefore considered that in this regard there is any conflict with the adopted development plan policies or with the NPPF.

The application is recommended for approval subject to the following conditions;

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:

Site Plan - Dwg.no. P101J Rev J dated May 19
 Unit Type 1 - Plans - Dwg.no. P102 Rev H dated 16/07/19
 Unit Type 1 - Elevations - Dwg.no. P103 Rev H dated 16/07/19
 Unit Type 2 - Plans - Dwg.no. P104 Rev F dated 03/07/19
 Unit Type 2 - Elevations - Dwg.no. P105 Rev H dated 16/07/19
 Unit Type 3 - Plans - Dwg.no. P106 Rev F dated 03/07/19
 Unit Type 3 - Elevations - Dwg.no. P107 Rev H dated 16/07/19
 Street Scene - Dwg.no.P200 Rev B dated 16/07/19
 Street Scene - Dwg.no.P201 Rev B dated 19/07/19

Landscape Plan - Dwg.no. SLD.856 Rev C dated 11/07/2019
 Tree & Shrub Planting Details - Dwg.no. SLD.856 - 01 dated 17/07/2019

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 The windows at first floor level on the eastern and western elevation of the dwellinghouses shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7 metres in height.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 4 All activity at the site is to be carried out in strict accordance with the following reports:
 i) Arboricultural Method Statement Addendum, re: EE-19-10250-01, 13th November 2019
 ii) Arboricultural Impact Assessment and Arboricultural Method Statement, ref: EE-2017-06-080 - Revision 01, September 2017
 - If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a specific Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 5 Before development starts with the exception of the removal of the asbestos roofs to the existing stables and store a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting the line of the tree protection fencing and its construction details and the extent and type of ground protection measures will be agreed to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and will be erected and positioned exactly as shown on the Tree Protection Plan, ref. EE: 2017-06-080, 20th September 2017.
 - A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

This condition is required to be a pre-commencement condition in order to protect the trees on site.

- 6 INFORMATIVE: To accord with current industry guidelines and sound arboriculture practice in general all permitted tree pruning operations associated with the development must comply with the requirements of British Standard 3998:2010 Tree Work - Recommendations.
 - Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010
 - Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

- 7 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.