

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: A/124/19/RES

LOCATION: Merry England Nursery
Dappers Lane
Angmering
BN16 4EN

PROPOSAL: Application for approval of reserved matters following outline permission A/142/16/OUT & reserved matter application A/168/18/RES relating to appearance of dwelling houses

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application looks to approve the reserved matter of appearance only following the reserved matters approval of layout, landscaping, access and scale A/168/18/RES and outline planning permission A/142/16/OUT for the demolition of existing buildings & erection of 17 no. dwellings, refurbishment of 1no 3bed dwelling & the provision of pedestrian footpath adjacent to Dappers Lane.
SITE AREA	Approximately 1.13 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	16 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	The site features a number of trees the majority of which are on the south and west boundaries. Under the Outline application A/142/16/OUT, the proposed layout was identified by the Council's Tree Officer as having a limited impact upon the tree stock. A number of trees are shown as being retained. It has been identified that no Tree Preservation Order would be required.
BOUNDARY TREATMENT	Post and rail fencing, trees and hedging. In particular existing trees shall be retained running along the sites eastern boundary abutting Dappers Lane.
SITE CHARACTERISTICS	The site is situated outside of the built up area and occupied by a detached two storey brick dwelling with a tiled roof. To the west of the dwelling is a barn and stables with the house and stables surrounded by equestrian paddocks.
CHARACTER OF LOCALITY	Rural with limited residential development to the east of Dappers Lane. 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. Outline approval of housing to the east of the site has been achieved via a strategic housing allocation.

RELEVANT SITE HISTORY

A/132/19/DOC	Approval of details reserved by condition imposed under ref A/142/16/OUT relating to Condition Nos 4 - surface water drainage, 6 - flows to watercourses, 7 - SuDs system, maintenance of any watercourse, 11 - Construction Management Plan, 12 - road safety audit, 14 - ecological, 17 - tree protection and 21 contamination.	
A/168/18/RES	Application for approval of reserved matters following outline planning permission A/142/16/OUT for the demolition of existing buildings & erection of 17 no. dwellings, refurbishment of 1no 3bed dwelling & the provision of pedestrian footpath adjacent to Dappers Lane	ApproveConditionally 18-04-19
A/91/18/PL	Application for variation of condition following grant of planning permission A/142/16/OUT - Condition 3 - Amend approved access plan & Variation to condition 10 - No houses shall be occupied until the vehicular access and footway serving the development has been constructed in accordance with the approved drawing including all other details of construction.	ApproveConditionally 26-10-18
A/142/16/OUT	Outline application with some matters reserved for the demolition of existing buildings & erection of 18 No. dwellings and the provision of pedestrian footpath adjacent to Dappers Lane. This application is a Departure from the Development Plan.	App Cond with S106 30-06-17

Outline approval and reserved matters approval for Access, Layout, Scale and Landscaping has been achieved on the site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

No objection.

No comments from any neighbouring properties were received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Sussex Police-Community Safety
Engineers (Drainage)
Engineering Services Manager
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Sussex Police - No objection

ADC Surface Water Drainage - No objection

WSCC Highways - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments 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

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

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

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.

The Angmering Neighbourhood Plan (ANP) has been made and the policies HD4: Materials, HD5: Built Form and HD6: Housing Layout & Design 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 the host or 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/142/16/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.

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.

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 Appearance.

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 which form the site as existing. The new dwellings and existing farmhouse turn their backs upon Dappers Lane leaving a minimum of 20 metres between any built form and the road way such that the proposed development will have limited presence within the street scene when viewed from Dappers Lane.

The development therefore can be considered as a cul de sac forming its own visual characteristics.

The proposed dwelling houses come in 5 types plus the renovation of the existing farmhouse (type 6). They use hung tiles at first floor with stock brick at ground floor level featuring a chalet bungalow style for most house types with dormers in the roof. The house types also incorporate Sussex half hips on one side of the dwelling which further adds to the local distinctiveness, characteristic of nearby existing dwellings on Dappers Lane and dwellings within the Parish of Angmering as a whole. The house type designs accord with local policies relating to materials and house type features set out in Neighbourhood Plan policies referred to above

There is also a wide variety of house types from 2 to 4 bedroom dwellings which provides for housing need and gives the cul de sac a varied appearance commensurate with the informal cottage style of the house types.

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.

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 have sufficient space between them as a whole and are orientated such that overlooking, loss of light and overbearing impacts would not be caused on each other and neighbouring properties

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 minimum Gross Internal Floor accord with the Nationally Described Space Standards for the 6 types of house to be constructed and therefore the proposal accords with policy D DM2 of the Arun Local Plan.

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

HUMAN RIGHTS ACT

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:

Location Plan - Dwg.no. 1920-PL-100 - dated 05.09.19

Block Plan - Dwg.no. 1920-PL-101 - dated 05.09.19

Proposed Site Plan - Dwg.no. 1920-PL-150-(B)

Farmhouse Proposed Front and Rear Elevations - Dwg.no. 1920-PL-348-(B) dated 16.08.19

Farmhouse Proposed Left and Right Elevations - Dwg.no. 1920-PL-349-(B) dated 16.08.19

Farmhouse Proposed Floor Plans - Dwg.no. 1920-PL-248 dated 05.09.19

Farmhouse Proposed Roof Plans - Dwg.no. 1920-PL-249 dated 05.09.19

Type 1 Floor Plans - Dwg.no. 1920-PL-250-(B) dated 16.08.19

Type 1 Front and Rear Elevations - Dwg.no. 1920-SK-350-(B) dated 16.08.19

Type 1 Left and Right Elevations - Dwg.no. 1920-PL-351-(B) dated 16.08.19

Type 1 Roof Plan - Dwg.no. 1920-PL-251-(B) dated 16.08.19

Type 2 Floor Plans - Dwg.no. 1920-PL-252-(A) dated 16.08.19

Type 2 Front and Rear Elevations - Dwg.no. 1920-PL-352-(B) dated 16.08.19

Type 2 Left and Right Elevations - Dwg.no. 1920-PL-353-(B) dated 16.08.19

Type 2 Roof Plan - Dwg.no. 1920-PL-253 dated 05.09.19

Type 3 Floor Plans - Dwg.no. 1920-PL-254-(A) dated 16.08.19

Type 3 Front and Rear Elevations - Dwg.no. 1920-PL-354-(B) dated 16.08.19

Type 3 Left and Right Elevations - Dwg.no. 1920-PL-355-(B) dated 16.08.19

Type 3 Roof Plan - Dwg.no. 1920-PL-255 dated 05.09.19

Type 4 Floor Plans - Dwg.no. 1920-PL-256-(A) dated 16.08.19

Type 4 Front and Rear Elevations - Dwg.no. 1920-PL-356-(B) dated 16.08.19

Type 4 Left and Right Elevations - Dwg.no. 1920-PL-357-(B) dated 16.08.19

Type 4 Roof Plan - Dwg.no. 1920-PL-257 dated 05.09.19

Type 5 Ground Floor Plan - Dwg.no. 1920-PL-258-(A) dated 16.08.19

Type 5 Front and Rear Elevations - Dwg.no. 1920-SK-358- (B) dated 16.08.19

Type 5 Left and Right Elevations - Dwg.no. 1920-PL-359- (B) dated 16.08.19

Type 5 First Floor and Roof Plan - Dwg.no. 1920-PL-259 -(A) dated 16.08.19

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 on the right elevation of house type 2 shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7 metres in height from internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 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.