

Recommendation Report for Planning Permission

REF NO: A/136/14/PL

LOCATION: Merrivale
Station Road
Angmering

PROPOSAL: Demolition of existing dwelling and erection of 2 No 4 bedroom detached house with garages (resubmission of A/67/14/PL)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal relates to the provision of two detached 2 storey, 4 bedroom dwellings. Each dwelling has a footprint of 8.3m by 16m, eaves heights of 3.8m and 4.5m and ridge heights of 7.1m. A garage would be provided forward of each dwelling which includes provision for cycle storage.

SITE AREA

0.11 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET) 18 dwellings per hectare

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

1.8m high close boarded fence to road frontage and east boundary. Hedging to west and fencing and hedging to rear to approx 2m height

SITE CHARACTERISTICS

Detached bungalow with mainly painted brick elevations and plain tiled roof. Detached garage to rear with a low pitched roof. Dwelling is set back on plot with a large front garden area. The site is bounded to the south by a wide open verge at the entrance to Greenwood Drive and the school, with trees running along the site boundary perimeter.

CHARACTER OF LOCALITY

Predominantly residential characterised by detached dwellings of varying height, size and design generally set back from the site frontage. Many properties have garages that sit forward of the dwellings.

RELEVANT SITE HISTORY

A/67/14/PL	Demolition of existing dwelling & erection of two four bedroom detached houses with garages.	Refused 22-07-2014
A/27/53	Bungalow	Approve 09-06-1953

REPRESENTATIONS

Representations received:

Angmering Parish Council

No Objection

One petition with 3 signatures - This application fails to address the fundamental issue of plot width resulting in a cramped development which is out of keeping in the street scene and would not replicate the design of any adjoining properties. These tall and elongated shaped properties would leave significant footprint and this would adversely affect the visual amenities of the locality merely for the benefit of property speculation.

Comments on Representations received:

It is not agreed that the development is out of keeping with the appearance of the street scene in Station Road. The staggered position and differing design result in a development that reflects the existing character.

CONSULTATIONS

WSCC Strategic Planning
Engineering Services Manager
Engineers (Fluvial Flooding)

Consultations responses received:

County Highways - No Objection. The proposal is tight within the site and the access will have a more intensive use, although not to the detriment of highway users. Subject to the visibility conditions being unaltered there are no anticipated highway safety concerns with the proposal. Conditions relating to cycle storage and provision of parking and turning facilities.

Engineers - Supplementary requirements for surface water drainage proposals are attached.

Comments on Consultation responses:

- comments noted. Requested conditions by highways are included and Engineer's comments are included as an Informative.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Class A road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development

Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality
	D DM2 Internal Space Standards

D DM3 External Space Standards
D SP1 Design

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton

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

report

have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an 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

The application involves demolition of the existing dwelling and its replacement with 2 properties. The site is located within the built up area where the principle of redevelopment and provision of an additional unit of accommodation is acceptable subject to compliance with development control criteria with regard to residential and visual amenity.

The application follows an earlier refusal for 2 identical properties which were located in similar positions and set back the same distance from the site frontage. The site lies on the east side of Station Road in an area characterised by detached dwellings of varying height, design and size. They are mostly set back from the road in a haphazard pattern and there is no set distance from the road frontage. The amended proposal involves development of 2 contrasting dwellings of similar height, dimensions and footprint, but with different elevation treatment and design set back in a staggered form from the road frontage. Plot 1 has a reduced soffit height and the altered roof shape decreases the massing of the first floor and roofscape. The dwelling on Plot 2 has been reduced by 0.3m in width and 0.7m in length. It adjoins an open area and has been amended to be 0.5m from this boundary to provide a gap of 3m between the proposed dwellings. This results in development that is in keeping with the appearance of the street scene.

The plot widths are narrower than others fronting Station Road. However both dwellings retain gaps to site boundaries and are set back from the site frontage a minimum distance of 25m. A 3m gap is retained between the properties which together with their staggered appearance and amended design contributes to the perception of the development being of comparable plot width. The development is no longer considered out of character with the surrounding area. The proposal would therefore be acceptable in terms of its impact on the visual amenities of the locality.

With regard to residential amenity it is considered that given the distances to boundaries and the position of the dwellings on the plot and the provision of obscure glazed windows at first floor level in the north elevation that there would be no materially adverse impact on the residential amenities of adjoining properties by reason of overbearing or overlooking impacts. Indeed the distance to the rear boundary of Plot 1 has increased to 13.5m.

The proposal includes the provision of a garage to each dwelling with parking and turning accessed via the existing established point of access. The garages would be located in a similar position to other garages in the locality, approximately 10m from the road frontage, and would be similar in appearance, they are therefore visually acceptable. County Highways have no objection to the proposal on highway grounds.

The proposal accords with the external and internal space standards in the Emerging Local Plan

policies DDM2 and DDM3.

The application is therefore recommended for approval subject to the following conditions:

HUMAN RIGHTS ACT

FOR APPROVAL

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 (the right to respect for 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 neutral 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).

SECTION 106 DETAILS

This application is subject to a legal agreement which was signed under the previous application A/67/14/PL in respect of contributions towards affordable housing totalling £12,171.

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 1417/23, 22 and 21.

Reason: For the avoidance of doubt and in the interests of amenity and the environment

in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed dwellings and garages have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The first floor windows on the north elevation of Plot 1 shall at all times be glazed with obscured glass and the rear ward facing windows shall be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 No windows other than those shown on the plans hereby approved shall be constructed at first floor level or above in the north or south elevations of Plot 1 or without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy GEN7 of Arun District Local Plan.

- 7 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policies GEN7 and GEN12 of Arun District Local Plan.

- 8 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 9 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.
- 10 INFORMATIVE: Any proposed surface water scheme must consider sustainable drainage principles.
- 11 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to affordable housing.