

Recommendation Report for Planning Permission

REF NO: A/28/19/PL

LOCATION: Quiet Waters
Roundstone Lane
Angmering
BN16 4AX

PROPOSAL: Variation of condition 1 imposed under A/81/18/RES relating to approved plans for site layout plan, apartment block floor plans, elevations & roof plans & materials layout.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed amendments are as follows:

1. Kerb-line Realigned - The kerb has been marginally re-aligned in on the access road between P19 and P6. Previously the footpath was too narrow in this part of the site;
2. Footpath Along Frontage - A footpath has been included at the frontage of the site along Roundstone Lane at the request of the Highways Authority;
3. Additional Fencing and Lockable Gates - Additional fencing has been added to delineate between the plots.
4. Footpath Material Change - The footpath which lines the access road has been changed from paving slabs to tarmac. Paving slabs were proposed erroneously when the materials condition was discharged. Tarmac is a much more appropriate material for the paths;
5. Fire Hydrants - The fire hydrant has been relocated towards the middle of the site at the request of the Fire Brigade and Southern Water;
6. Plot 11 - The path to the front P11 has been shortened as it did not lead to anywhere;
7. Plot 12 Turning Area - Road to the front of P12 has been extended southwards by 500mm to enable better turning provision;
8. Hedge Planting - Additional hedge planting is proposed across the site;
9. Amendment to Apartment Block Rear Elevation - The rear

elevation of the apartment block has been amended to omit the dormer window at second floor level. Instead the roof now extends down to below the eaves of the first storey level.

10. Apartment Block Lock - A key pad lock and gate has been added to the apartment building to improve security and prohibit open access to the rear.

11. External Lighting - 7 bollard lights have been positioned at various points throughout the site to provide an optimal level of discreet lighting;

SITE AREA	0.773 ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat in the centre of the site, but banking up towards the northern and southern boundaries.
TREES	There is a substantial number of mature trees along the site frontage and along the boundaries of the site. Three of the trees have been the subject of a Tree Preservation Order (TPO/A/1/17 2017).
BOUNDARY TREATMENT	The site is bounded by trees and hedges.
SITE CHARACTERISTICS	The application site comprises a former agricultural workers detached 5 bedroom dwelling, with gardens to the front, rear and sides. The detached house is not visible from the road.
CHARACTER OF LOCALITY	The application site is located on the eastern side of Angmering Village, to the east of Roundstone Lane and to the north of the A259. The area is being transformed by new housing on the former West End Nursery site which lies immediately north of the application site which is currently being re-developed for 246 dwellings by CALA Homes (i.e. A/144/15/PL - Cresswell Park). To the north of West End Nursery there are a further three residential development sites (the Rugby Club, Swanbourne Park and Manor Nursery), which run as far as the High Street.

RELEVANT SITE HISTORY

A/26/19/PL	Application for variation of condition following grant of planning permission A/132/17/OUT relating to condition no. 20 - Electric Vehicle Charging Points	ApproveConditionally 05-09-19
A/81/18/RES	Approval of reserved matters following outline consent A/132/17/OUT for appearance, landscaping, layout & scale for demolition of existing dwelling & the erection of 30 No. dwellings. This application is a Departure from the Development Plan.	ApproveConditionally 13-11-18

A/132/17/OUT	Outline application with some matters reserved for the demolition of the existing single dwelling & construction of 30 No. dwellings (resubmission following A/39/17/OUT). This application is a Departure from the Development Plan.	App Cond with S106 19-01-18
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council: No comments received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning
NHS Coastal West Sussex CCG
Ecology Advisor
Engineers (Drainage)
Engineering Services Manager
Environmental Health
Highways England
Arboriculturist
Planning and Housing Strategy
Parks and Landscapes
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

COUNCIL'S DRAINAGE ENGINEER: No objection or have any further comments.

SOUTHERN WATER: No objection.

SUSSEX POLICE: No objection.

AFFORDABLE HOUSING OFFICER: No objection

HIGHWAYS ENGLAND: No objection.

HIGHWAYS DEPARTMENT: No objection.

ENVIRONMENTAL HEALTH: EH have no comment to make with regard to this application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Designation applicable to site:

Within the Built-up Area Boundary- Arun Local Plan.

Outside the Built-up Area Boundary- Angmering Neighbourhood Plan.

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
LANDM1	LAN DM1 Protection of landscape character
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

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 TM1 Local Highways

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 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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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 (Regulation 14).

Relevant Angmering Neighbourhood Plan (ANP) policies have been taken account of and are addressed in the Conclusions section of this report.

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 have no materially adverse effect on the visual amenities of the locality and it would have no adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The principle of residential development on this site was established on 19th January 2018 when outline planning permission (A/132/17/OUT) was approved for 30 dwellings, with access off Roundstone Lane, and all other matters reserved for a further application. Following this an application for reserved matters (A/81/18/RES) was approved. This application seeks to make a number of amendments to previously approved application A/81/18/RES, as detailed in the Description of Application section.

ACCESS, ALTERATIONS TO FOOTPATHS INCLUDING HIGHWAY SAFETY AND PARKING

Policy T SP1 of the Local Plan says: "the Council will ensure that development provides safe access on to the highway network; contributes to highway improvements and supports sustainable transport, including public transport improvements".

The access to the proposed residential development, directly off Roundstone Lane, was approved at the outline planning stage, and it would utilise the existing access to the detached house at Quiet Waters.

Seeks to make the following amendments with regard to access and footpaths:

Kerb-line Realigned - The kerb has been marginally re-aligned in on the access road between P19 and P6. Previously the footpath was too narrow in this part of the site;

Footpath Along Frontage - A footpath has been included at the frontage of the site along Roundstone

Lane at the request of the Highways Authority;

Footpath Material Change - The footpath which lines the access road has been changed from paving slabs to tarmac. Paving slabs were proposed erroneously when the materials condition was discharged. Tarmac is a much more appropriate material for the paths;

Plot 11 - The path to the front P11 has been shortened as it did not lead to anywhere;

Plot 12 Turning Area - Road to the front of P12 has been extended southwards by 500mm to enable better turning provision

The Highways Officer has commented on these amendments and does not object. They are satisfied with the proposed amendments.

Highways England have commented and having examined the application, they are satisfied that the proposals will not materially affect the safety, reliability and / or operation of the SRN (A27 Trunk Road)

It should be noted that Section 106 Agreement which accompanied the outline planning permission included footways along the site frontage along Roundstone Lane, pedestrian crossing points, tactile paving and dropped kerbs; and the provision of bus stops along the lane in close proximity to the site. The 106 makes reference to Proposed Access Provision plan Ref:101 Rev B. Therefore should any part of the plan be different as a result of the aforementioned amendments the previously agreed 106 agreement may need amending. It is considered that this is a matter for the applicant.

The proposed amendments do not alter or lead to a need to alter the levels of parking granted under A/81/18/RES.

As such, it is considered that the proposals comply with Policy T DM1 of the Local Plan and Policy HD6 of the Angmering Neighbourhood Development Plan.

SITE LAYOUT AND CHARACTER

From an assessment of the proposed amendments it is considered that the site layout would not be amended significantly. All dwellings would be sited as previously granted. However the fire hydrant has been relocated towards the middle of the site at the request of the Fire Brigade and Southern Water. The path to the front P11 has been shortened as it did not lead to anywhere. The road to the front of P12 has been extended southwards by 500mm to enable better turning provision. Additionally, The kerb has been marginally re-aligned in on the access road between P19 and P6. Previously the footpath was too narrow in this part of the site. It is considered that these amendments would not have a detrimental impact on the layout of the site such that would warrant refusal.

As such, it is considered that the proposal would comply with Policy D DM1 of the Local Plan and Policies HD5 and HD6 of the Angmering Neighbourhood Development Plan.

DESIGN AND APPEARANCE

Policy D SP1 (Design) of the Local Plan says: "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".

Policy D DM1(2 - appearance/attractiveness) of the Local Plan requires applications to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

Policy HD5 of the Angmering Neighbourhood Development Plan states: "New developments must pay particular attention to integration with both the character of nearby development as well as its landscape setting."

Policy HD6 of the Angmering Neighbourhood Development Plan "proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area".

Paragraph 124 of the new NPPF says: "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 of the new NPPF says: "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".

This variation of condition application does not seek to make any amendments to the materials used in the dwellings. However, the material used for the footpath which lines the access road has been changed from paving slabs to tarmac. Paving slabs were proposed erroneously when the materials condition was discharged.

The proposed use of tile hung walls, flint panelling and brickwork is as previously approved and is acceptable. The change from paving slabs to tarmac for the footpath which lines the access road, while regrettable, is considered acceptable.

The rear projecting element of the apartment block has been amended, such that the roof element (dormer window) has been removed. The roof would then extend below the eaves of the first storey level. As a result, the first and second floor windows would be removed from the rear projecting element. A rooflight is proposed in the rear roof slope, in place of the rear projecting element. The proposal also seeks to amend the arrangement of rooflights previously proposed.

Additional close boarded fencing at a height of 1.8 metres has been added to delineate between the plots.

Officers consider that the proposed amendments would not have a detrimental impact on the street scene or wider area.

As such, it is considered that the proposals would comply with Policies D SP1 and D DM1 of the Local Plan, and HD5 and HD6 of the Angmering NP and paragraphs 124 and 130 of the new NPPF.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "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".

As detailed above, in the Design and Appearance section, the application includes amendments to The rear projecting element of the apartment block.

It is considered that the proposals would not have a detrimental impact on the residential amenities of the future occupiers of Quiet waters or Cresswell Park, to the north of the application site. There would be no materially adverse overlooking or overbearing impacts given the distance to the site boundary. The amendments are such that the dwellings would still provide sufficient residential layout for each dwelling.

7 bollard lights are proposed at various points throughout the site, in order to provide an optimal level of discreet lighting. Following an assesment of the submitted plans and the materials details showing an image of the lights, details of the proposed illumination of bollard lamps has not been provided. Therefore, a condition requesting full details of the proposed bollard lights would be imposed upon any grant of planning permission. It is considered that this condition does not need to be 'prior to the commencement of construction...' but rather 'prior to the installation....'

Additional close boarded fencing at a height of 1.8 metres has been added to delineate between the plots. It is not considered that this fencing would have a detrimental impact on the occupiers of the proposed dwellings.

It is considered that the proposal would not have a detrimental impact on the occupiers of Quiet Waters or the adjoining site, with regards to overlooking, overbearing impact, overshadowing and loss of light/sunlight.

As such, it is considered that the proposal would comply with Policy D DM1(3) of the Arun Local Plan.

ACCESS PATH TO CRESSWELL PARK

Policy D SP1 of the Local Plan says "all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout". The location of the public open space on the revised site layout would be adjacent to the open space on the Creswell Park development. Policy D DM1 of the Local Plan says developments should "improve access via delivery of a variety of integrated networks to an from residential areas. Development schemes should carefully consider walking as an integral part of the overall design concept". CALA Homes have confirmed that the provision of a footpath linking the respective open spaces on the application site and Cresswell Park to the north would be acceptable. The applicant would provide the detail of the access path linking the site with the Cresswell Park development to the north as part of a pre-occupation condition, which would enable the applicant to agree the specification in consultation with the LPA.

This application does not seek to alter the principle of an access between the CALA homes site to the north as previously granted. The plans show the access in the same location as granted under application A/81/18/RES.

DWELLING SPACE STANDARDS

Policy D DM2 of the Local Plan says "the planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs".

From an assesment of the submitted plans the proposed amendments, particularly those to the apartment block, it is considered that the dwellings would still comply with Nationally Described Space Standards and the proposal is therefore in accordance with Policy D DM2 of the Local Plan.

OTHER:

A key pad lock and gate is proposed to the apartment building to improve security and prohibit open access to the rear. It is considered that this would be acceptable and would not have a detrimental impact.

Additional fencing has been added to delineate between the plots.

Officers consider that the proposed Key pad lock, gate and additional fencing all provide sufficient extra security measures

The fire hydrant has been relocated towards the middle of the site at the request of the Fire Brigade and Southern Water. It is considered that this is acceptable.

CONCLUSION:

It is recommended that, having regard to the above assessment, the Variation of condition 1 imposed under A/81/18/RES relating to approved plans for site layout plan, apartment block floor plans, elevations & roof plans & materials layout is granted subject to appropriate and reasonable 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.

Paragraph 124 of the new NPPF says: "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 of the new NPPF says: "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".

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 approved shall be carried out in accordance with the following approved drawings and submitted materials:

1084-Ang100 Rev. A - Location Plan

1006-Ang 101 Revision R - Site Layout Plan

1006-Ang 102 Revision H - Proposed Materials Layout

1006-Ang103 Rev. C - Affordable Housing Plan
1006-Ang104 Rev. D - Proposed Street Scenes
1006-Ang 110 Revision D - Proposed Ground and First Floor Plans (apartments)
1006-Ang 111 Revision D - Proposed Second Floor and roof plan (apartments)
1006-Ang 112 Revision D - Proposed Elevations (apartments)
1006-Ang 113 Revision D - Proposed Elevations (apartments)
Drawing Number 1006-Ang114 Rev. B - House Type A: Plans and Elevations
Drawing Number 1006-Ang115 Rev. C - House Type B: Plans and Elevations
Drawing Number 1006-Ang116 Rev. C - House Type C: Plans and Elevations
Drawing Number 1006-Ang200 - House Type B1: Plans and Elevations
Drawing Number 1006-Ang210 - House Type B2: Plans and Elevations
Drawing Number 1006-Ang220 - House Type C1: Plans and Elevations
Drawing Number 1006-Ang230 - House Type C2: Plans and Elevations
Drawing Number 1006-Ang236 - House Type C3: Plans and Elevations
Drawing Number 1006-Ang150 - Post and Rail Fence
Drawing Number 1006-Ang151 - 1800mm Close Boarded Fence
Drawing Number 1006-Ang152 - 1500mm Close Boarded Fence
Drawing Number 1006-Ang153 Rev. A - Cycle Parking Plan / Stands
Drawing Number J5762/EX11 - Proposed Site Layout
Drawing Number J5752/HW01 Rev. A - Proposed Main Access Road Levels
Drawing Number J5752/HW03 Rev. A - Tracking Drawing 1
Drawing Number J5752/HW04 Rev. A - Tracking Drawing 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 No dwelling shall be occupied until the parking spaces, turning facilities and garages for that dwelling shown on the approved plans have been provided and constructed for the dwelling to which they relate. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 3 Prior to first occupation, the details of the pedestrian access link between the application site and Cresswell Park, developed by CALA Homes to the north shall be submitted to and be approved in writing by the Local Planning Authority. The dwellings hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: In the interests of amenity and of the environment of the development, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure pedestrian links with the adjacent residential development and public open space on Cresswell Park.

- 4 The bathroom windows on Plots 6, 8, 12, 13, 14, 15, 16, 17, 18 and the landing window on the second floor of Plot 7 are to be fitted with windows to be obscure glazed and fixed shut to a height of 1.7 metres above ground floor level.

Reason: In the interests of residential amenity and of the environment of the development, in accordance with Policy D DM1 of the Arun Local Plan.

- 5 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.

- 6 INFORMATIVE: It should be noted that the Section 106 Agreement which accompanied previously granted outline planning permission A/81/18/RES included footways along the site frontage along Roundstone Lane, pedestrian crossing points, tactile paving and dropped kerbs; and the provision of bus stops along the lane in close proximity to the site. The 106 makes reference to Proposed Access Provision plan Ref:101 Rev B. Therefore should any part of the plan be different as a result of the aforementioned amendments the previously agreed 106 agreement may need amending. It is considered that this is a matter for the applicant.
- 7 INFORMATIVE: The Council notes that the developers seek to phase the development to allow for occupation of completed dwellings to take place before the whole development is completed. However, no application has been submitted to this end. Where this to be the case and approved conditions 2 & 3 of this consent would have to be consequently changed and imposed on any future approval.