

Recommendation Report for Planning Permission**REF NO:** A/41/12/**LOCATION:** Tall Trees
High Street
Angmering**PROPOSAL:** Demolition of existing 3 bed dwelling & attached 2 bed bungalow, double garage, stable & outbuildings. Erection of 1 no. 5 bed dwelling with indoor swimming pool, 6 attached garages, plant room & gardener's store & garage**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Many trees on boundary and within the site, most of which are protected by there siting within the Angmering Conservation Area, some trees are to be removed however none of these are worthy of preservation.
BOUNDARY TREATMENT	Existing boundaries kept by mature hedging, close board fencing and trees.
SITE CHARACTERISTICS	Detached 2 1/2 storey property set within a large site with mature gardens surrounding the main building. White painted brick elevations, hipped red tile roof with central gable section. Single storey addition to the west elevation and double garage, separate bungalow to eastern elevation. Small cottage within the rear garden.
CHARACTER OF LOCALITY	The site is located within the Angmering Conservation Area. Mix of types and styles of detached properties within close proximity. Open grazing land to the south of the site, nursery to the east. Grade II Listed Building to west of site.

RELEVANT SITE HISTORY

A/73/09/	Construction of two storey and single story extension, roofing over of area between existing bungalow and proposed extension, replacement of existing timber windows with PVCu.	Refused 11-09-2009
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A/41/12/

A/74/09/CA	Application for Conservation Area Consent for demolition of outbuildings and demolition of flank wall at first floor level.	Approve Conditionally 11-09-2009
A/24/10/	Construction of two storey and single storey extensions, roofing over of area between existing bungalow and proposed extension, replacement of existing timber windows with PVCu windows (re-submission of planning application A/73/09/)	Approve Conditionally 13-04-2010
A/109/11/	Demolition of existing 3 bedroom house & attached 2 bedroom bungalow, games room, double garage, stable and outbuildings and erection of new 5 bedroom house with indoor swimming pool, 6 attached garages, plant room and gardener's garage and workshop.	Withdrawn 28-09-2011
A/110/11/CA	Application for Conservation Area Consent for demolition of existing 3 bedroom house & attached 2 bedroom bungalow, games room, double garage, stable and outbuildings.	Withdrawn 30-09-2011
A/141/11/	Proposed new fencing	Approve Conditionally 25-11-2011
A/170/11/	Demolition of existing bungalow, courtyard, games room, double garage stable & log store. Erection of 2 storey extension to existing house & linked single storey swimming pool, changing rooms & 6 garages together with refurbishment & other alterations to existing dwelling.	Refused 28-02-2012
A/172/11/CA	Application for Conservation Area Consent for demolition of existing bungalow, courtyard, games room, double garage stable & log store. Erection of 2 storey extension to existing house & linked single storey swimming pool, changing rooms & 6 garages within the Angmering Conservation Area	Refused 28-02-2012
A/42/12/CA	Application for Conservation Area Consent for demolition of existing 3 bed dwelling & attached 2 bed bungalow, double garage, stable & outbuildings. Erection of 1 no. 5 bed dwelling with indoor swimming pool, 6 attached garages, plant room & gardener's store & garage (within the Angmering Conservation Area)	Approve Conditionally 08-06-2012

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Area Advisory Com

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee:

No objection - It is important that good quality materials and finishes are used in the build.
Timber double glazed windows preferred.

Comments on Consultation responses:

Comments noted. Condition will be attached requiring details of the finishes to the dwelling and outbuilding.

POLICY CONTEXT

Designation applicable to site:

Outside the built-up area boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:

[SEPBE6](#)

[SEPCC1](#)

[SEPCC4](#)

[SEPH4](#)

[SEPH5](#)

[SEPT4](#)

Management of the Historic Environment

Sustainable Development

Sustainable Design and Construction

Type and Size of New Housing

Housing Design and Density

Parking

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[AREA2](#)

Protection of the Countryside

The Form of New Development

Conservation Areas

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity as well as the character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established

character of the surrounding area.

CA

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria as it will preserve the character of the 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 seeks permission for the demolition of the existing dwelling to accommodate the construction of a new dwelling which is to be greater in scale and includes garaging and a detached workshop/gardeners store. The existing dwelling is not considered to be of any historic merit and its removal and replacement with an appropriately designed dwelling is acceptable in principle.

The proposed dwelling would be sited centrally within the site, set back from the front boundary to 'High Street' by some 67 metres. As with the existing house, the new dwelling would only be visible at certain vantage points along the highway given the mature tree screening to the front of the site, and its siting. This means that the large scale is acceptable, as the new dwelling would sit comfortable within this large site and the proposed neo-georgian design would be appropriate for the historic locality. The resultant dwelling therefore preserves the character of the Conservation Area, which is not noted to have any distinct character with various types and styles of historic dwellings.

The impact upon neighbouring amenity is also considered to be acceptable with the main dwelling set away from the shared boundary with 'Pound House' by some 15 metres. This however will be subject to a condition which ensures that the windows at first floor level to the west elevation are obscure glazed to prevent any direct overlooking of the rear garden of 'Pound House'. All other boundaries are shared with woodland and grazing land, the majority of which are owned by the applicant. As such there would be no overbearing affect, loss of light or overlooking resulting from the new dwelling.

A gardeners store is proposed which would be built close up to the west boundary. Given that this structure would be single storey with its roof hipped away from the boundary, it is not considered to have a detrimental impact upon the private amenity of the adjoining site by way of an overbearing affect or loss of light.

The adjacent dwelling 'Pound House' is a Grade II Listed Building and therefore the proposed dwellings impact must be considered against its setting. Given that this site is already occupied by an existing property, together with the separation distance between the two dwellings the setting of the listed building would not be affected by this proposal.

In the absence of a detrimental impacts occurring from the construction of the new dwelling and the acceptable design proposed, it is recommended that the application be approved subject to the conditions set out below.

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 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 a neutral impact has 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).

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:

Drawing No.s 2263:16 E; 2339:01 C; 2339:02 A; 2263:23; 2263:24; 2263:25 and 2263:26.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes

and samples of such materials and finishes to be used for external walls, roofs, windows and rainwater goods of the proposed dwelling and outbuilding have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwelling and outbuilding.

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 windows at first floor level on the west elevation of the building shall at all times be glazed with obscured glass.

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

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, AREA2

SOUTH EAST PLAN: CC1, CC4, H4, H5, NRM11, T4

NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.