

Recommendation Report for Planning Permission

REF NO: A/43/19/PL

LOCATION: Land to North of
68 Arundel Road
Angmering

PROPOSAL: Variation of condition 2 imposed under A/161/18/RES relating to approved plans including changes to internal layout, provision of a study at first floor, amended materials and access and addition of a second window at first floor level in the side elevations .

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application amends a previous approval A/161/18/RES by making the following changes to the approved plans: - slightly altering the access to include visibility splays within the application site - adding cladding to the front elevation - adding an additional obscure glazed window to each flank/side elevation - deleting first floor balustrading to the rear - adding a study at first floor
SITE AREA	819 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	24 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundaries of the site consist of fencing and mature planting and trees of various heights and species
SITE CHARACTERISTICS	The site is located at the end of Arundel Road adjacent to the last dwelling in the row of houses on the western side. The neighbouring property is a bungalow. It has recently been cleared of vegetation
CHARACTER OF LOCALITY	The character of the locality is rural with the site being situated outside of the built area boundary.

RELEVANT SITE HISTORY

A/161/18/RES	Approval of reserved matters following outline consent A/31/18/OUT for 2 No dwellings.	ApproveConditionally 22-01-19
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A/31/18/OUT

Outline application with all matters reserved for the erection of 2 No. 3 bedroom semi-detached properties & associated landscaping works. This application is a Departure from the Development Plan.

ApproveConditionally
03-10-18

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATION RESPONSES RECEIVED:

- none

COMMENTS ON CONSULTATION RESPONSES:

- none

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary

DEVELOPMENT PLAN POLICES

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

CSP1	C SP1 Countryside
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
TSP1	T SP1 Transport and Development
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
WDM3	W DM3 Sustainable Urban Drainage Systems

[Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD2 Parish Housing Allocation

Angmering Neighbourhood Plan 2014 POLICY HD3 Housing Mix
Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density
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
Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways
Angmering Neighbourhood Plan 2014 POLICY TM2 Cycling Walking & Equestrian
Angmering Neighbourhood Plan 2014 POLICY EH3 Flood Prevention

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 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.

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; Ford; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Angmering Neighbourhood Plan (ANP) has been made and the relevant policies within it have been taken into account in the determination of this application.

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 principle of residential development on this site has been agreed and the proposal would have no materially adverse effect on the residential or visual amenities of the locality.

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 on this site has been agreed at outline stage (A/31/18/OUT) and details were approved under A/161/18/RES. The only matters that can be considered as part of this proposal are those which alter the details approved at reserved matters stage which are as listed above.

VISUAL AMENITY AND CHARACTER OF THE AREA

Arun Local Plan policy D DM1 lists a series of 15 factors that development must comply with - these include character, impact and public realm.

Angrnering Neighbourhood Plan (ANDP) policies HD4 Materials, HD5 Built Form, HD6 Housing Layout and Design and HD7 Housing Density are relevant. HD6 requires that new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness. Meanwhile, HD7 states that if the density of new development is higher than the immediate surrounding area it will be refused.

It is also necessary to consider the guidance within the National Planning Policy Framework. Section 12 states that high quality buildings and places are fundamental to the planning process. Paragraph 127 sets out 5 design criteria against which development proposals will be assessed including the need to be visually attractive and sympathetic to local character.

The application follows an earlier approval A/161/18/RES for the provision of 2 semi detached dwellings on the site. This is a material consideration and the application can only be considered in respect of the proposed alterations to the approved plans. The change to the front elevation to include additional cladding is considered acceptable in this location and the proposed development would have limited presence within the street scene when viewed from Arundel Road given its set back position and existing landscaping. The proposed residential use of the site would not result in unacceptable harm to the character of the locality and is deemed to accord with policy D DM1 of the Arun Local Plan.

The dwelling sizes have already been approved and demonstrate acceptable dwelling to plot ratios which are similar to those adjacent to the site in accordance with policy HD7 of the Neighbourhood Plan. The dwellings are higher than the immediately adjoining bungalows, but much of this side of Arundel Road is characterised by 2 storey development and the dwellings would not therefore look out of place in the street scene. The area is also characterised by semi detached and terraced dwellings and the proposal would replicate this dwelling type. The style and design of the dwellings would be similar to those present fronting the road to the south of the site and their appearance has not altered significantly in this application. The dwellings are set back slightly further from the site frontage than those to the south, but the rear elevation is still reflective of the western most part of the rear elevation of the neighbouring dwelling. The elevations indicate that the roof would comprise grey concrete roof tiles and the elevations would be grey cedar cladding with contrasting brickwork. Although cladding is not a dominant material in this location it would not be the only elevational treatment, both flank elevations would be brick at ground floor level. Adjacent properties comprise painted rendered elevations, brick and brown/grey tiling. The area comprises a mix of materials with no dominant style or material and the dwellings would therefore be similar in appearance. Compliance with policy DDM1 and DSP1 of Arun Local Plan and policies HD4 Materials, HD5 Built Form, HD6 Housing Layout and Design have 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 abut residential development to the south only. The distance to the side boundaries and position on the plot has not altered from the earlier approval. The southern most dwelling would be 1.5m from the side boundary and no 68 is 5m from the shared boundary. The neighbouring dwelling has a pitched roof garage located adjacent to the boundary. The rear elevation of the dwellings would not extend beyond the rear elevation of either the house or garage. It is therefore considered that no materially adverse overbearing results would occur to the adjacent residential dwelling or its garden.

The only change to the earlier approval which could impact on adjoining development is the addition of a further first floor window in the side elevations of each dwelling. However it is indicated that both windows in each side elevation would be obscure glazed. The bathroom and study windows would be obscure glazed and those on the south elevation are conditioned to be non opening below 1.7m internal floor level. The first floor balustrading to rear first floor openings has been deleted and windows are now proposed which face down the rear garden area. On this basis the dwellings would not result in adverse amenity issues.

The dwellings have a Gross Internal Floor Area of 123m² which would accord with the Nationally Described Space Standards for a 3 bedroom, 2 storey 6 person house. However the study floor areas do not meet the minimum internal floor areas for a bedroom and the windows are indicated to be obscure glazed. They would not therefore be suitable for this use. An informative has been added accordingly.

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. 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 proposal was previously assessed by WSCC Highways who did not have any objections to the use of the access and did not consider that the impact of the proposals on the operation of the highway network would be severe. The application is therefore considered to comply with paragraph 109 of the NPPF. The only alterations to the access in this proposal are the indicative visibility splays within the site on both sides of the access. A condition relating to the provision of further splay details has been included as per the previous approval to ensure that details are acceptable.

In terms of car parking, the layout provides an acceptable level of car parking and is unaltered from the earlier approval.

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:

Existing Site Location 1802-PL-100-(A), Proposed Site Block Plan 1802-PL-150-(B), Proposed Site Plan 1802- pl-151-(A), Proposed Ground Floor Plan 1802-PL-250-(D), Proposed First Floor Plan 1802-PL-251-(D), Proposed Front Elevation 1802-PL-352,(A), Proposed Rear Elevation 1802-PL-353(A), Proposed Left Flank Elevation 1802-PL-354-(B), Proposed Right Flank Elevation 1802-PL-355- (A), Proposed Street Scene Elevation1802-PL-356-(A) and Proposed Roof Plan 1802 -PL-252-(B).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety in accordance with policy TSP1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Arundel Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy TSP1 of the Arun Local Plan .

- 5 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 TSP1 of and DDM1 of the Arun 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 the approved plan.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy TSP1 of the Arun Local Plan.

- 7 The windows at first floor on the south elevation of the southern most building shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DDM1 of the Arun Local Plan.

- 8 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the south side elevation of the dwelling hereby permitted 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 D DM1 of the Arun Local Plan.

- 9 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls (and roofs) of the proposed buildings 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 DDM1 of the Arun Local Plan.

- 10 No development above damp proof course (DPC) level 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 D DM1 of the Arun District Local Plan.

- 11 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.
- 12 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway.
The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>
- 13 INFORMATIVE: The study hereby approved in each dwelling does not meet the Nationally Described Space Standards criteria for a single bedroom which requires a minimum floor area of 7.5m².