

Recommendation Report for Planning Permission

REF NO: A/43/22/PL

LOCATION: Land East Of
Roundstone Lane
Angmering
BN16 4AL

PROPOSAL: Variation of condition following grant of A/3/21/PL relating to Condition No 1 - approved plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to vary condition 1 (the plans condition) of planning permission A/3/21/PL to alter the approved layout, floor plans and elevations to provide the following:

- Changes to the internal paths,
- Inclusion of cycle and motorcycle parking,
- Car parking layout amended to show the provision of electric vehicle charging points,
- Amended external lighting,
- Provision of steps to electricity substation (and gas & electricity meter housing),
- Amendment of pedestrian crossing to internal roadway,
- Bin store (to include stand for generation housing),
- Alterations to the East Elevations to replace roof lights with inset dormer window to room S10,
- Changes to the landscaping and planting scheme,
- Boundary tree centres increased to 2m, removal of conifer trees to front of site and details of enclosure to site boundaries.

The development of this site has a complex planning history. The Developer is building out and implementing A/3/21/PL for the erection of a 74-bed care home and not the earlier permission A/51/18/PL and the subsequent planning permission A/50/20/PL. These permissions which included much of the works now proposed cannot be implemented. Therefore, the approved works (electricity substation & gas & electricity meter housing; alteration of internal paths; inclusion of cycle & motorcycle parking; alteration to car parking layout; inclusion of pedestrian crossing to internal roadway & amendment of bin store to include stand for generation housing) have been submitted as a new planning application in respect of the 74-bed care home.

The removal of trees on the site frontage and provision of a summerhouse and bbq were not previously included in earlier

	applications on the site and these have been removed from the proposal.
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the proposal.
BOUNDARY TREATMENT	Hoardings to site boundaries.
SITE CHARACTERISTICS	The site is currently occupied by contractors and works are nearing completion for the approved care home permission.
CHARACTER OF LOCALITY	The site is located to the east of Roundstone Lane and is part of a larger site for the area to provide 600 homes to the east of Angmering. Sites to the north and south of the site were granted permission with a number of the properties already completed and occupied. To the west of Pound Place lies Bramley Green which has a mix of two and two and a half storey properties fronting Roundstone Lane. To the east is the Angmering Bypass Road and the South Downs National Park beyond.

RELEVANT SITE HISTORY

A/112/21/PL	Application for the removal of Condition 14 following grant of A/3/21/PL relating to the provision of a footpath along the site frontage with Roundstone Lane.	Refused 02-09-21
A/3/21/PL	Erection of a 74-bed care home (C2 residential institution) with car parking, landscaped gardens & access from Roundstone Lane. (resubmission following A/9/19/PL). This site is in CIL Zone 2 (Zero Rated) as other development.	ApproveConditionally 09-04-21
A/144/20/PL	Variation of condition 2 imposed under A/51/18/PL (APP/C3810/W/19/3220233) relating to substitute first floor plan, second floor plan, roof plan, proposed elevations, south & west elevations, north & east elevations & proposed elevations to accord with those approved under A/9/19/PL and increase in roof height (250mm) in lift shaft area.	ApproveConditionally 17-11-20
A/123/20/NMA	Non-material amendment following grant of A/9/19/PL for additional resident accommodation at second floor, including the provision of dormer windows and Velux type rooflights. The provision of a 'Garden Room' accessed from a first floor lounge by enclosing part of an external terrace area and second floor staff/service accommodation revised.	Refused 03-09-20

A/50/20/PL	Variation of condition 2 imposed under A/51/18/PL (APP/C3810/W/19/3220233) relating to inclusion of electricity substation & gas & electricity meter housing; alteration of internal paths; inclusion of cycle & motorcycle parking; alteration to car parking layout; inclusion of pedestrian crossing to internal roadway & amendment of bin store to include stand for generation housing.	ApproveConditionally 09-06-20
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REPRESENTATIONS

Angmering Parish Council - No Objection.

2 Objections:

- The plans seek to remove the established conifers from the front of the property. A lot of mature trees have already been removed from this site, all of which at one point were protected. The trees to the front of the property had been preserved and are intended to screen a very large building from the road, thereby preserving the visual amenity.
- Further screening is required to west of the electricity substation to ensure adequate screening to visually unattractive equipment.
- As this application has already been turned down how can it be granted because there are minor alterations.
- Valuable farming land is being concreted over increasing the congestion on our roads
- Angmering area has taken its fair share of house building particularly as there has been no provision for increased provision of medical and educational needs.

COMMENTS ON REPRESENTATIONS RECEIVED:

The application has not previously been refused and is not located on farmland.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection.

Environmental Health - No Objection.

Landscape Officer - No Objection.

Recommend approval of the information supplied within the landscape Maintenance & Management Plan - Rev A in conjunction with Ground Control Soft landscape Proposals Plans J180649-GC-I-DR-3-003/004 Rev B 005 Rev A, 002 Rev C, 006 Rev A, Landscape General arrangement 001 Rev B.

Tree Officer - No response.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Tree Preservation Order

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

HDM2	H DM2 Independent living and care homes
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment

[Angmering Neighbourhood Plan 2014 POLICY HD5](#) Built Form

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

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, The South Inshore & South Offshore Marine Plan 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 relevant policies of Angmering Neighbourhood Plan have been taken into account.

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 complies with relevant Development Plan policies in that there would be no materially adverse effect on biodiversity, residential amenity or the visual amenities of the locality.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The principle of a 74 bed care home in this location has already been agreed under reference A/3/21/PL. It is only the issue relating to the amended plans in respect of changes listed in the description section of this report in respect of amended site layout, landscaping elevations and lighting which can be considered under this application. All other matters relating to the permission remain unaltered.

Policies D SP1 (Design), DDM1 (Aspects of Form and Design Quality), H DM2 (Independent Living and Care Homes) QE DM1 (Noise) and T SP1 (Transport and Development) of the Arun Local Plan (ALP) 2011-2031 are relevant to determination of the application.

VISUAL AMENITY AND DESIGN

The site is bounded by new residential development to the north and south comprising 2 storey semi-detached and detached dwellings. Given the nature of both the visual context of the site and the mainly 2 storey form of development approved and that the approved layout ensures the built form is located to the rear of the site with space to site boundaries the alterations proposed as part of this development would not be readily visible or out of keeping. The layout changes, landscaping, boundary treatment (including a retaining wall) and lighting would not be visually perceptible and the addition of a dormer instead of a rooflight would not be visually apparent or dominate the roof area. The design of the dormer is acceptable as it replicates dormer window features seen elsewhere within the care home. The approved development, tree screening and landscaping would provide a visual barrier and screen to the external alterations proposed. The main layout of the site and care home block position and appearance are unaffected by the proposal.

With regard to layout, the retained and proposed vegetation on the site boundaries will enhance the existing screening and will assist in providing a suitable backdrop to the changes proposed. The minor alterations to the elevations and layout would appear visually integrated with the approved development. The proposed substation would be suitably screened.

Policy QE DM2 requires that proposals which include outdoor lighting must be accompanied by a lighting scheme and that there should be no adverse impacts on the wider landscape. The details of the lighting scheme principally consisting of bollard lighting to external areas, bulkhead and directional lighting affixed to the building. The lighting scheme has been carefully designed to ensure it does not cause any harm to the amenities of surrounding residents and future residents of the care home.

Subject to a condition in respect of adherence to the submitted details and the lighting details as per the submitted Lighting Plan and Schedule the proposals would have an acceptable impact on the visual amenity of the area and character, in accordance with the NPPF, ALP policies D SP1, D DM1, and H DM2 and the ADC Design Guide SPD.

RESIDENTIAL AMENITY

The approved building is orientated to run down the length of the site and is not altered by this proposal. Its position and the main access position into and within the site remain as approved. The additional window in the east elevation does not materially increase the potential for overlooking towards properties to the south in Brougham Grove or North in Lambert Way. The east elevation faces onto the communal garden, public pen space and road to the rear. There would be no material increase in loss of privacy or overlooking to adjacent residential properties as a result of the changes proposed. The proposal is therefore in accordance with policy D DM 1(3) in that it has no adverse impact on the occupiers of nearby property.

HIGHWAY IMPACT

Access to the site and car and cycle parking provision are not altered from the original approval. Staff and visitor car parking are provided at the site frontage with Roundstone Lane. Cycle storage provision is included as part of the application and the level of provision is unaltered in the proposal.

The Local Highways Authority (LHA), WSCC, have raised no objection to the application. The changes to the layout proposed do not alter the impact on the operation and safety of the highway network or car or cycle parking provision. The proposals accord with the NPPF, policy T SP1 of the ALP.

TREES

ALP policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or that contribute to local amenity.

The application is not accompanied by an updated Arboricultural Report identifying why the trees on the site frontage with Roundstone which are subject to a TPO should be removed. There is no detail to demonstrate that the replacement trees would satisfactorily mitigate their loss. The trees currently form a continuous dense screen to the development and are of significant size and their replacement with smaller trees which will take a while to establish needs to be offset against the health and expected life span of the existing trees and no such details have been provided. Replacement planting proposals will go some way to compensate but there will be a net loss of vegetation and biodiversity at what is a very prominent part of the site. The proposed tree loss would have a negative impact on the local landscape and environmental conditions (loss of visual screening) at this location. This loss was previously considered unacceptable, and the scheme sought to retain the existing trees which were preserved prior to the development proposals for the care home being pursued at application stage. No justification has been submitted for the need for the request for their removal and their removal is not required to facilitate the other changes proposed. The original scheme was planned to incorporate tree issues at an early stage in the design process so that they were not negatively impacted by the proposal.

Given the above the proposal conflicted with ALP policy ENV DM4 in that the benefits of replacement planting have not been sufficiently justified to outweigh the loss of the preserved trees. However, this element of the application has been removed and the development is now acceptable in terms of impact on trees.

ECOLOGY

The proposal remains compliant with policy ENV DM5 of the ALP. The changes to the lighting and landscaping proposed would not materially alter the impact on wildlife.

SUMMARY

The layout and lighting changes proposed are minor alterations to the original approval and have no materially adverse impact on visual amenity, highway safety, ecology or trees. The application is recommended for approval, subject to the following conditions and informatives.

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 Condition 1 imposed under A/3/21/PL is amended to read:

The development hereby approved shall be carried out in accordance with the following approved plans

1388/P-134 B Proposed Roof Plan

1388/101 AE GF Ground Floor Plan

1388/102 AJ FF First Floor Plan

1388/103 AJ SF Second Floor Plan

J180649-GC-L-DR- 5-118 Rev A Substation Access Steps Plan and Cross section

1.0 rev A Substation Steps and Retaining Wall

2388 63 EX 001 A Revision 0.0 Electric vehicle charging points

Drawing number 001 - Landscape General Arrangement Plan.

J180649-GC-L-DR-3-006 REV B Formal Garden- Pond Construction Cross Section

J180649-GC-L-DR-3-002-Rev D Boundary Treatments, Proposed Fencing, Railing and Walls

J180649-GC-L-DR-3-003-Rev C Soft Landscape Proposals Sheet 1

J180649-GC-L-DR-3-004-Rev C Soft Landscape Proposals Sheet 2

J180649-GC-L-DR-3-005 REV B Proposed Features Structures and Furniture Layout Plan

Feb 2022 Revision A Landscape Maintenance and Management Plan
 1388_203N Proposed North and East Elevations
 1388/202 J Proposed South and West Elevations
 1388_201N Proposed Elevations
 1388_204E Proposed Sectional Elevations

and the following originally approved plans:

1388/000 Rev A Site Location Plan
 1388/P-001 Site Layout General Arrangement
 1388/P-002 Proposed Block Plan
 (rev4) revA Figure D Impacts Plan
 PP-ISS-XX-XX-DR-C-3004 Drainage Construction Notes C03
 PP-ISS-XX-XX-DR-C-3005 Infiltration Testing Locations
 PP-ISS-XX-XX-DR-C-3010 Proposed Drainage Layout 64Bed Overall C04
 PP-ISS-XX-XX-DR-C-3011 Proposed Drainage Layout 64Bed Sheet 1 C06
 PP-ISS-XX-XX-DR-C-3012 Proposed Drainage Layout 64Bed Sheet 2 C07
 PP-ISS-XX-XX-DR-C-3013 Proposed Drainage Layout 64Bed Sheet 3 C07
 PP-ISS-XX-XX-DR-C-3015 S104 Drainage Plan & Details 64Bed P08
 PP-ISS-XX-XX-DR-C-3100 Surface Water Manhole Schedule C05
 PP-ISS-XX-XX-DR-C-3101 Foul Water Manhole Schedule C05
 PP-ISS-XX-XX-DR-C-3201 Drainage Details (Sheet 1) C03
 PP-ISS-XX-XX-DR-C-3202 Drainage Details (Sheet 2) C03
 PP-ISS-XX-XX-DR-C-3400 External Works Layout Overall C02
 PP-ISS-XX-XX-DR-C-3401 External Works Layout 1 of 3 C02
 PP-ISS-XX-XX-DR-C-3402 External Works Layout 2 of 3 C02
 PP-ISS-XX-XX-DR-C-3403 External Works Layout 3 of 3 C02
 PP-ISS-XX-XX-DR-C-3410 Proposed Ground Levels Sheet 1 C02
 PP-ISS-XX-XX-DR-C-3411 Proposed Ground Levels Sheet 2 C02
 PP-ISS-XX-XX-DR-C-3412 Proposed Ground Levels Sheet 3 C01
 PP-ISS-XX-XX-DR-C-3420 Proposed Coordinates Plan Sheet 1 C02
 PP-ISS-XX-XX-DR-C-3421 Proposed Coordinates Plan Sheet 2 C02
 PP-ISS-XX-XX-DR-C-3500 Proposed Impermeable Areas Sheet 1 P03
 PP-ISS-XX-XX-DR-C-3501 Proposed Impermeable Areas Sheet 2 P03
 PP-ISS-XX-XX-DR-C-3601 Typical External Works Construction Details C03
 PP-ISS-XX-XX-DR-C-3650 S278 Existing & Proposed General Layout & Levels P05
 PP-ISS-XX-XX-DR-C-3651 S278 Highway Agreement Drawing P03
 PP-ISS-XX-XX-DR-C-3652 S278 Road Markings & Highway Authority Detail References P03
 PP-ISS-XX-XX-DR-C-3654 S278 Construction Details P01
 PP-ISS-XX-XX-DR-C-3655 S278 Sections P03
 PP-ISS-XX-XX-DR-C-3656 S278 Existing & Proposed Road Catchment Areas P05
 PP-ISS-XX-XX-DR-C-5100 Swept Path Analysis Refuse Vehicle Tracking
 PP-ISS-XX-XX-DR-C-7100 Site Location Plan P04
 PP-ISS-XX-XX-DR-C-3649 S278 Existing & Proposed Site Layout P02
 Rev 2 Dated 08/01/2015 REV1 Tree protection plan
 1388/004 Rev F Bin Store Elevations
 1388/P-001 A Cycle Store Elevations

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.

2 INFORMATIVE: This permission relates to the variation of conditions 1 of planning permission

A/3/21/PL only. The applicant is reminded that the other planning conditions attached to the original planning permission number A/3/21/PL remain in force and must be complied with.

- 3 **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.