

Recommendation Report for Planning Permission

REF NO: A/50/20/PL

LOCATION: Pound Place
Roundstone Lane
Angmering
BN16 4AL

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application relates only to the changes to the plans condition (2) to include the following : - inclusion of electricity substation; (approx. 3m by 6m) including provision of gas & electricity meter housing; (gas cabinet 1.6m wide, 0.9m deep and 1.4m high) in SW corner of site - alteration of internal paths; - inclusion of cycle & motorcycle parking; - alteration to car parking layout by re-orientating 3 spaces; - inclusion of 2 pedestrian crossings to internal roadway - amendment of bin store to include stand for generation housing (structure approx. 5.5 by 9m floor area) The previous permission related to the provision of a 64 bed care home. The application site is the same as approved and the design and position of the home is unaltered.
SITE AREA	0.753 ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	85 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	A Tree Preservation Order has been issued covering the conifer trees to the boundaries of the application site
BOUNDARY TREATMENT	Trees/ hedging and fencing to site boundaries.
SITE CHARACTERISTICS	Pound Place comprised a single residential property, two storeys in height (plus habitable accommodation within the roof) located within a large curtilage to the east of Roundstone Lane, Angmering. The property was set back from the highway by approximately 100m, with extensive mature trees and landscaping around the boundaries of the site. The site is currently occupied by contractors and works have begun to

implement the previous 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 By Pass road and the South Downs National Park beyond

RELEVANT SITE HISTORY

A/9/19/PL	Demolition of existing dwelling & erection of a 62 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane (resubmission following A/51/18/PL).	ApproveConditionally 16-09-19
A/51/18/PL	Demolition of existing dwelling & erection of a 64 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane. This application is a Departure from the Development Plan.	Refused 15-11-18
		Appeal: Allowed+Conditions 31-12-19

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health
WSCC Strategic Planning
Parks and Landscapes

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection

Environmental Health - No Objection. Conditions requested relating to the substation and generator.

Tree Officer - Awaited

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

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
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment

[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

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.

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 is considered to comply with relevant Development Plan policies in that there would be no materially adverse effect on visual or residential amenity.

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 site lies within the built up area boundary of the Local Plan where the principle of residential redevelopment is acceptable and in this particular case has already been approved under reference A/51/18/PL. The application only relates to the alterations listed in the description. All other matters relating to the permission remain unaltered

The key policy consideration in the determination of this application are;

Arun Local Plan 2011-2031.

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 2011-2031. These policies seek to ensure that development:

- Minimises the impact on neighbouring land/residents.
- The design is adaptable and appropriate in design and scale.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council and Arun District guidance on parking provision.

Angmering Parish Neighbourhood Plan (ANP)

Policies HD5 (Built Form) and HD6 (Housing Layout and Design) seek to ensure that development by way of appearance and design are appropriate to their location.

Policies HD8 (Parking for New Developments) and TM1 (Local Highways) aim to ensure that development provides the right amount of parking and maintains highway safety.

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 approved development, tree screening and landscaping would provide a visual barrier and screen to the structures 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 western boundary will maintain and enhance the existing tree lined and vegetated nature of Roundstone Lane and will assist in providing a suitable backdrop to the changes proposed. The substation is located in a position that does not prevent retention of trees as previously approved and these are indicated on the proposed landscaping plan. The approved layout provides a site frontage comprised of car parking and there is no change to the layout in this area. The visual presence of car parking will not be materially altered to a significant or harmful extent and would not harmfully impact on the appearance of the street scene. The substation would be close to the site frontage, but would be screened by fencing and trees and not overly dominant in the street scene.

The benefit derived from the open space within the area generally is not compromised by the proposed layout changes. The extent of site coverage, the layout and bulk of the proposed development and its position on the plot are not altered from that approved.

The minor alterations to the approved layout and provision of meter housing, a generator and cycle and motor cycle parking would appear visually integrated with the approved development.

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. Any noise generated from the minor layout changes are likely to be limited. The increased bin store which now incorporates a generator is located adjacent to the access road away from the site boundary. However the proposed generator and substation have the potential to generate additional noise. The substation is located 1m from the side boundary of 2 Brougham Grove and it is considered appropriate to condition submission of acoustic reports to ensure noise levels are acceptable from both structures and that no material harm results to residential amenity. Environmental Health have indicated that they are agreeable to the imposition of an appropriately worded condition.

The proposal is therefore deemed to accord with policies QE DM1 and DDM1(3) in that it adequately addresses the impact to users and occupiers of nearby property.

TRANSPORT

The Local Highways Authority (LHA) has assessed the proposal and are satisfied that the alterations to parking and layout are acceptable..

Adequate car parking within the site remains and the approved provision of 32 car parking spaces is unaffected by the proposed layout changes. Three car parking spaces are realigned. Therefore, adequate parking provision is retained in accordance with the previous approval which is being implemented on site in compliance with policy TSP1 (d) and (e) of the Arun District Local Plan and policy HD8 of the Angmering Neighbourhood Plan.

The Neighbourhood Plan includes policies TM1 - Local Highways and TM2 - Cycling, Walking & Equestrian where support will be given to proposals which increase or improve the network of cycle ways and footpaths and this is also referred to in policy TSP1 (a) (b) and (f) and policy H DM2(b) of Arun Local Plan. This proposal improves pedestrian access within the site by providing 2 pedestrian crossing points and still includes cycle parking as originally approved

CONCLUSION

The application is therefore 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 approved shall be carried out in accordance with the following approved plans:

Gas Cabinet No 6:Rev1
 GRP Enclosure Plinth POC-SS-9001
 External Bin Store 1388/004 F
 Information Site Plan 1388/003 E
 Site Layout Block Plan 1388/002 D
 Site Layout General Arrangements 1388/001 Rev.W
 South Boundary Elevation SB-01
 Boundary Treatment Plan J180649-GC-L-DR-3-002 C
 Landscape General Arrangement Plan J180649-GL-L-DR-3-001 B
 UKPN / ENC GRP Plinth Construction Details

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 Prior to the first use of the electricity substation, an acoustic report assessing the impact shall be submitted to and approved in writing by the Local Planning Authority. The report shall

address the issue of noise (including low frequency noise) and vibration from the station to ensure that there is no adverse effect to residential or commercial properties

The scheme shall ensure that the low frequency noise emitted from the substation is controlled so that it does not exceed the 'Low Frequency Criterion Curve' for the 10 to 160 Hz third octave bands. The electricity substation equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant, no new plant shall be used without the written consent of the Local Planning Authority

Reason: To protect residential amenity in accordance with Policy QE DM1 of Arun Local Plan.

- 3 Prior to first use of the back-up generator an acoustic report shall be submitted to and approved by the Local Planning Authority which demonstrates that it has no adverse impact on surrounding residential units caused by operation of the equipment. Such a report must detail any mitigation measures which may be required. The backup generator shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant, no new plant shall be used without the written consent of the Local Planning Authority.

Reason: To protect residential amenity in accordance with Policy QE DM1 of Arun Local Plan

- 4 INFORMATIVE: This permission relates to the variation of condition 2 of planning permission A/51/18/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission number A/51/18//PL remain in force and must be complied with. This decision only relates to the variation of Conditions 2 of that planning permission.

- 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: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500.