

Recommendation Report for Planning Permission

**REF NO:** A/62/19/PL

**LOCATION:** Old Blacksmith's Yard  
Water Lane  
Angmering  
BN16 4EP

**PROPOSAL:** Erection of 2 No. semi-detached dwellings with associated access, car parking & landscaping. This application may affect the setting of a listed building.

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| <b>SITE AND SURROUNDINGS</b> |
|------------------------------|

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION      | <p>The proposed development is for the construction of a pair of semi detached houses with an associated car port, turning areas and post and rail fences to the front and rear of the site.</p> <p>The semi detached properties would form a single building with half hipped pitched roofs and a deep cottage style roof with rooms in the roof. It has an eaves height of 4.4 metres and a ridge height of 8.4 metres. The footprint of the building would be approx. 17 metres in length by 9 metres in depth with private rear gardens 10 metres in depth.</p> <p>The proposal also includes a car port for two cars with a foot print of 4.4 metres by 7.2 metres and a height of 4.2 metre. Two further car parking spaces, two single storey bin store sheds and two bicycle storage buildings are proposed.</p> |
| SITE AREA                       | 0.06 hectares.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| RESIDENTIAL DEVELOPMENT DENSITY | 33 dwellings per hectare.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| TOPOGRAPHY                      | The site slopes gently from front to rear toward the stream and Weavers Hill at the rear.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| TREES                           | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| BOUNDARY TREATMENT              | The site currently has a low wooden fence onto Water Lane, a landscaped bank to the east and is open to the west side and rear.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| SITE CHARACTERISTICS            | Vacant land adjacent to the car park of a retail unit. The retail business is a specialist angling shop which is a wooden clad close boarded single storey building akin to an agricultural building. It is set against a landscaped border to the east with open countryside to the south.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| CHARACTER OF LOCALITY           | The site is located close to Angmering village centre. It is in a semi rural location within an area which is due to be developed for pre-dominantly residential development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

It is noted that there are a number of strategic housing developments and approved residential applications to the north and south of the site. These will alter the character of the area to a more urban appearance. Avenals Farm a Listed Building in large grounds, is located to the south east of the site.

## **RELEVANT SITE HISTORY**

|            |                                                                                                |                             |
|------------|------------------------------------------------------------------------------------------------|-----------------------------|
| PAA/10/19/ | Erection of two semi-detached three bed dwellings with associated landscaping and car parking. | Approve Pre App<br>14-02-19 |
|------------|------------------------------------------------------------------------------------------------|-----------------------------|

Two Strategic Planning applications Land South of Water Lane (A/99/17/OUT) and Land North of Water Lane (A/40/18/OUT) have been granted outline planning permission for a combined total of 700 dwellings. Reserved matters applications have yet to be submitted. Both of these applications are located at least 100 metres from the application site.

## **REPRESENTATIONS**

### **REPRESENTATIONS RECEIVED:**

Angmering Parish Council

- Objection due to concerns over flood risk.

### **COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted.

## **CONSULTATIONS**

Ecology Advisor

Engineering Services Manager

Engineers (Drainage)

Arboriculturist

Parks and Landscapes

WSCC Strategic Planning

Conservation Officer

Environment Agency

### **CONSULTATION RESPONSES RECEIVED:**

WSCC Highways - No objection subject to conditions.

Arun District Council (ADC) Conservation - No objection - The proposed development would not cause harm to the significance of the heritage assets nearby.

ADC Drainage - No objection subject to conditions which require further information prior to the commencement on works on site.

Environment Agency - No objection subject to an informative.

CDC Ecology - No objection subject to informative.

ADC Arboricultural Officer - No objection subject to conditions.

## COMMENTS ON CONSULTATION RESPONSES:

Noted.

### POLICY CONTEXT

Designation applicable to site:  
WITHIN BUILT UP AREA BOUNDARY  
ADOPTED LOC PLN  
CLASS A ROAD

### 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    |
| HERDM1 | HER DM1 Listed Buildings                     |
| TSP1   | T SP1 Transport and Development              |
| WDM1   | W DM1 Water supply and quality               |
| WDM2   | W DM2 Flood Risk                             |
| WDM3   | W DM3 Sustainable Urban Drainage Systems     |
| WSP1   | W SP1 Water                                  |
| SDSP2  | SD SP2 Built-up Area Boundary                |
| ECCSP2 | ECC SP2 Energy and climate change mitigation |

[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

### 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.

Policies HD4: Materials, HD5: Built Form and HD6: Housing Layout & Design and HD8: Parking for New Developments of the Angmering Neighbourhood Plan are considered relevant.

#### **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 proposed dwellings would not be out of character with the existing area and have an acceptable impact on local 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**

Policy SD SP2 - Built Up Area Boundary (BUAB) of the Arun Local Plan and policy Policy HD1 of the Angmering Neighbourhood Plan - Built-up Area Boundary seeks to focus development within the BUAB as defined in their respective plans however the two boundaries are different. The proposed development falls within the Built Up Area boundary (BUAB) in the Arun Local Plan but it falls outside of the BUAB in the Angmering Neighbourhood Plan.

The Angmering Neighbourhood Plan (ANP) was adopted in 2014 and the Arun Local Plan was adopted in 2018 hence in this respect policy SD SP2 of the Arun Local Plan takes precedence and the proposed development is considered to be within the BUAB of Angmering Village and is acceptable in principle subject to other relevant policy considerations.

Section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that, in instances where there is a conflict between two elements of the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. Therefore, the built up area boundaries in the Local Plan are the determinant boundaries.

The key policy considerations in the determination of this application are policies D DM1, D DM2 and D SP1 of the Local Plan; Policies HD4: Materials, HD5: Built Form and HD6: Housing Layout & Design and HD8: Parking for New Developments of Angmering Neighbourhood Plan and the NPPF.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM2 seeks to ensure that minimum space standards for new dwellings are adhered to.

Policy D SP1 - 'Design' states that all development proposals should seek to make efficient use of land and reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy HD4 of the Angmering Neighbourhood Development plan seeks to ensure that development requiring planning permission which, by virtue of their materials, are inharmonious with the area, are refused.

Policy HD5 on the Angmering Neighbourhood Development Plan states that proposals should demonstrate their consideration of the proposal on its surrounding. This means that the proposed development should conform to the existing built form of the area, and constitute a positive addition to the current style, and mix. New development must integrate well with the character of the locality, and its landscape setting. Finally, it should not adversely impact upon the landscape setting, or any views in or out of the South Downs National Park.

Policy HD6 of the Angmering Neighbourhood Development Plan sets out criteria for the housing layout and design principles of proposed development. Policy HD8 supports the WSCC parking standards and encourages all new development to follow them.

Section 12 of the NPPF refers to high quality buildings and places being fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to work and live. Paragraph 131 of the NPPF states that in determining applications great weight should be given to outstanding, innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

## DESIGN AND VISUAL AMENITY

Whilst the proposed dwellings are located in an isolated location, visually separated from other residential dwellings, the area will, in the long term, be subsumed by strategic housing sites which have been granted outline planning permission.

The proposed semi detached dwellings use materials and design features common in houses within the Angmering area and in particular in semi rural locations including hanging tiles, render walls, clay roof tiles, wooden windows and half hipped roofs which makes for a high quality design incorporating the local vernacular.

The garage outbuilding would also use dark timber boarding reflecting the rural style of the nearby retail unit which is a visual feature of the local area and helps to tie the new buildings in to the character of the area.

The scale of the proposed dwellings is similar in design & appearance to nearby dwellings on Weavers Hill and on this part of Water Lane as you travel toward the main village. The spatial pattern and character of the locality will therefore be retained.

The proposal accords with policies DDM1 and DSP1 of Arun Local Plan and HD4, HD5 & HD6 of Angmering Neighbourhood Plan.

#### **RESIDENTIAL AMENITY**

The proposed dwellings would not impact on the residential amenity of any other dwellings as there are none bordering the site. The proposal therefore accords with policy D DM1(3) & D DM4 of Arun Local Plan.

#### **SPACE STANDARDS**

The proposed semi detached properties would accord with the Nationally described space standards. They would have gross internal floor area of approximately 104 sq.m. which comfortably exceeds the guideline for a 5 person 3 bedroom house (94 sqm) and the proposal is therefore considered acceptable. The 10 metre rear gardens would have a sufficient garden area which is also comparable with other properties nearby along Water Lane.

#### **IMPACT ON THE SETTING OF LISTED BUILDINGS**

The proposed development is located in close proximity to two listed buildings; Avenals Farmhouse approx. 90 metres to the south east set within its own large, mature grounds and Weaver Cottage 110 metres to the west.

A landscaped bank of vegetation and trees in the area local to the site play a strong role in establishing the semi-rural character of the local area.

Having assessed the site, significance of these Listed Buildings, and the landscaping in the local area, it is considered that the proposed development does not cause harm to the setting of the Listed Buildings.

As the development is not considered to affect the Listed Buildings or their setting, the Council is considered not to have regard to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990.

The proposal would not have any impact on the nearby Listed Buildings and is therefore considered to comply with policy HER DM1 of the Arun Local Plan.

#### **HIGHWAY SAFETY AND PARKING**

West Sussex County Highways have raised no objection to the scheme subject to setting out of car parking spaces and access to the site as shown on the plans. The plans show secure bicycle stores which would be conditioned to be constructed prior to occupation of the dwellings. The proposal is therefore considered to be compliant with policy TSP1 of the Arun Local Plan and policy HD8 of the Angmering Neighbourhood Plan.

#### **FLOODING**

According to Environment Agency flood maps and records the proposed development is shown to be within a Flood Zone 1 (low risk). A Flood Risk Assessment is therefore not required for this application as

confirmed by the Environment Agency's response to consultation who have no objection to the development.

The Council's Surface Water Drainage Engineers have applied conditions to the development which would address the issue of surface water drainage to prevent any adverse impacts from the development itself.

The proposal therefore accords with policy W DM1, W DM2, W DM 3 and W SP1 of the Arun Local Plan.

#### **CONCLUSION**

The application is therefore recommended for approval subject to the following conditions:

Delegated authority is sought for the Group Head of Planning to issue the decision following the expiry of the advertising period on 10-10-2019.

#### **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:

Location Plan - 18027-PL10 REV B dated April 2019  
Block Plan/Site Plan - 18027 - PL12 REV A dated April 2019  
Site Sections/Street Scene - 18027- PL30 dated April 2019  
Floor Plans Sheet 1 - Ground - 18027 - PL15 dated April 2019  
Floor Plans Sheet 2 - First - 18027 - PL16 dated April 2019  
Floor Plans Sheet 3 - Roof - 18027 - PL17 dated April 2019  
Elevations and Sections Sheet 1 -18027 - PL20 dated April 2019  
Elevations and Sections Sheet 2 -18027 - PL21 dated April 2019  
Elevations and Sections Sheet 2 -18027 - PL22 dated April 2019

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.

- 3 The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with approved plans.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy T SP1 of the Arun Local Plan.

- 6 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment and Method Statement, ref. LLD1688-ARB-REP-001.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 7 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Retention Protection Plan, dwg.LLD1688-ARB-DWG-002-TRPP.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. This pre-commencement condition is considered necessary in order to protect trees neighbouring the site during the construction process.

- 8 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference

for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 9 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a precommencement condition to protect existing watercourses prior to the construction commencing.

- 10 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.

- 11 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website.

A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist>

on Arun District Councils website, this should be submitted with a Discharge of Conditions Application

12 INFORMATIVE:Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

13 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/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

14 INFORMATIVE:

Bats

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Reptiles

Any features such as log piles or brash piles should be removed by hand during the active reptile season (April - September).

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).