

Recommendation Report for Planning Permission

REF NO: A/94/18/PL

LOCATION: Land at Pound Nursery
Roundstone Lane
Angmering
BN16 4AL

PROPOSAL: Variation of condition No. 2 imposed under planning reference A/167/14/PL relating to the approval for Plot 30 to be grey tile hung & to delete feature brickwork on front western elevations & northern side elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Recently constructed 2 storey dwelling
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly detached 2 storey dwellings. The approved development is nearing completion.

RELEVANT SITE HISTORY

A/167/14/PL	Erection of 46 residential dwellings with associated access, car parking, landscaping, open space & works, following demolition of existing buildings & structures.	App Cond with S106 01-04-15
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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:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

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; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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 only matter that can be considered within this application is the change in material to two of the approved dwelling elevations. The dwelling has been approved under planning permission A/167/14/PL. The design and position of the dwelling remain unaltered. The alteration which has resulted in the submission of this application is the change to the elevation treatment which has already taken place. The proposal utilises materials that are present on other dwellings within the development and would reflect and be in keeping with the appearance of the new estate. The development is therefore compliant with policies DDM1 of the Local Plan and policy HD4 of Angmering Neighbourhood Plan which require development to reflect local materials in relation to the impact of the development on the visual amenities of the locality.

The impact on residential amenity remains unaltered by the proposal.

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

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
Elevations and Floor Plans for Plot 30.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.

- 2 INFORMATIVE: The section 106 Agreement and all of the informatives and conditions imposed on A/167/14/PL shall remain in force until the development is completed, or the time limits within the conditions expire, except for Condition 2 which is varied by the approved drawings specified above in Condition 1 (of this approval).
- 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.