Recommendation Report for Planning Permission

REF NO: **EP/137/11/**

LOCATION: Willowhayne Estate Entrance Gates
The Ridings, Tamarisk Way
and Angmering Lane East Preston

PROPOSAL: To remove the worn out metal gates to the entrances, to replace with oak gates and oak post and rail fences. The plans inlcude soft landscaping and re-enforced grass paths for pedestrian and wheelchair access. Each gate will have a signboard "The Willowhayne" approximately 600mm x 400mm. Gates will be positioned North end of Angmering lane, North end of The Ridings, and the East end of Tamarisk Way. This application also falls within the parish of Rustington.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is to provide 3 sets of entrance gates to the Willowhayne Estate. The fences and gates would be timber and between 1m and 1.4m in height.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Each set of gates currently comprise white painted posts and bars incorporating signage with an approximate maximum height of 1.9m.
CHARACTER OF LOCALITY	Residential comprising large plots with dwellings of varying heights single and 2 storey and individual design of dwellings. The properties are set back from their site frontages behind varying types of boundary demarcation with verges approximately 2-3m to edge of estate roads.

RELEVANT SITE HISTORY

EP/58/11/	Replace 3 no. existing estate entrance gates (this application also falls within the parish Rustington)	Refused 10-08-2011

REPRESENTATIONS

Representations received:

East Preston Parish Council

Could a 3 bar gate be considered as this may appear even more open than a 5 bar gate? Could Residents Association confirm that the pedestrian accesses are suitable for a range of mobility vehicles?

1 Letter of Support and 1 Letter of No Objection
Tamarisk Way gates are currently permanently locked, prejudicing public safety. Request a condition is imposed stating at no time shall any gate be securely locked so as to prevent access at anytime by any resident or member of the Fire, Police and Ambulance services. In the interests of amenity and road safety and to secure access for emergency services. Will enhance area.

Comments on Representations received:

With regard to comments of East Preston Parish Council the Design and Access Statement states that the paths will be grass re-enforced with ground stabiliser plates (Joosten B & L pro plates) this system will allow for all weather traffic and allow access for wheelchairs and pushchairs The agent for the application has advised that the new pedestrian access to the estate will be a minimum of 1.2m wide, which will offer access for a range of mobility of vehicles, up to class 3 vehicles that have a maximum width of 0.85m. Pedestrian access widths will be increased from 90cm at Tamarisk Way, 65cm and 97cm at Angmering Lane and 100cm at The Ridings.

It is not considered that 5 bar gates would have an adverse impact on the visual amenities of the locality. The agent has advised that the 5 bar gate was chosen as it wsa felt it was more in keeping with the surrounding area and added additional strength to the structure.

Comments on other letters of representation. Rights of access are a private matter and it would not be expedient, reasonable or necessary to impose a condition in this respect.

CONSULTATIONS

WSCC Local Development Divis.

Conservation Officer

Consultations responses received:

County Highways - No objection. It is noted that the gates will open inwards which is required for this type of arrangement. The applicant would be required to provide signage remote from the highway indicating 'in and 'out' to avoid any confusion (this should be the subject of a condition) , specifically at the Angmering Way and The Ridings sites. The gates are existing and as such this proposal seeks only to replace what is already present. In highway terms there would be no material change to the situation.

The proposed planting areas for The Ridings and Angmering Lane do appear to be on land designated as public highway. The Applicant would be required to contact the Coastal Team Area Engineer to obtain formal permission for this planting.

Comments on Consultation responses:

Comments of Highway Officer are noted. It is not considered appropriate to impose a condition relating to signage, but this has been included as an Informative together with the requirement for consent of Engineers regarding planting on the highway.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area Boundary
Angmering Lane Site is within East Preston/Rustington Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPBE6	Management of the Historic Environment
Arun District Local Plan 2003:	GEN7	The Form of New Development
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

PPS5	Planning for the Historic Environment
PPS1	Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

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 established character of the surrounding area.

The site is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation 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

Principle

Replacement of the 3 existing sets of gates is acceptable in principle subject to satisfactory design and provided no adverse effect on visual amenity and the character of the area results.

Visual Amenity and Character
The entrances to Willowhayne Estate currently comprise metal barriers and posts that when maintained do not detract from the visual amenities of the locality. They are relatively thin and unobtrusive and allow views into and out of the estate roads. The estate is characterised by grassed verges in front of front garden boundaries to dwellings which are defined by a mix of hedging/walling and fencing. The character of the area is one of low density development characterised by large dwellings with spacious landscaped gardens. The proposed changes to the gates serving the estate would result in rustic style visually open barrier which would allow views through them into this green suburban area and would have no adverse effect on the visual amenities of the locality.They would allow views into and out of the estate and its environs, visually integrating the estate with the road network.

This application amends a previously refused application EP/58/11 for a more obtrusive form of enclosure including flint walling and gates. The height of the barriers have been reduced from 1.7m-1.9m to 1-1.4m.

Impact on Conservation Area
Angmering Lane lies within a Conservation Area and the alteration of the existing gates as proposed would preserve the appearance of the Conservation Area which is semi- rural in character. The Conservation Area has a special character and appearance derived principally through the loose grouping of its buildings and very prominent mature landscaping. The entrance gateway proposed includes landscaping which would soften its appearance and reflect a distinctive feature of the surrounding area which would assimilate the development into its setting.

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

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 location and block plans, GHD2003plant, GHD2002, GHD2002plant, GHD2004 and GHD2004plant.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 Landscaping shall be carried out in accordance with the details shown on plans GHD2002plant and GHD2003plant and the design and access statement. Details of plant sizes and numbers shall be submitted to and approved by the Local Planning Authority within 3 months of the development commencing. All planting, seeding or turfing

comprised in the approved details shall be carried out in the first planting and seeding seasons following installation of the gate to which it refers, and any trees or plants which within a period of 5 years from the completion of the 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 GEN7 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7,AREA2

SOUTH EAST PLAN: BE6

NATIONAL POLICIES: PPS1,PPS5

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

5 INFORMATIVE: The applicant is advised to contact the Coastal Team, Community Development and Big Society, Communities and Infrastructure Directorate, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex BN13 2QB. Phone 01243 642105 to obtain formal approval for the proposed planting on land designated as public highway.

6 INFORMATIVE: The applicant is advised that signage, remote from the highway, designating 'in' and 'out' will be necessary to avoid any confusion.