

**DEVELOPMENT CONTROL COMMITTEE**

**6 JUNE 2018**

**OFFICER REPORT UPDATES**

## REPORT UPDATE

**Application no:** EP/7/18/PL  
**Page no:** 15  
**Location:** Land rear of Beechlands Cottages Beechlands Close EAST PRESTON  
**Description:** Demolition of existing buildings and erection of 2 no. dwellings with associated car ports/parking, alterations to existing access and relocation of staircase to flats - Amendment to EP/138/17/PL

### UPDATE DETAILS

Reason for Update/Changes:

1 Objection which adds to previous comments made in an earlier representation..

- We have never considered the existing metal staircase used by Greenmanor's tenants to access their flats from their parked cars to be an "impediment".
- It forms the only access to the rear compound for tenants living over the shops from where they have been allowed by the landlord to park their vehicles regardless of their leases.
- The tenants safety needs to be considered and the relocation of the staircase affects this .
- Vehicles may well be displaced.
- The "improved access" on the western side with yellow lines and "enforceable no parking" will further impact upon the tenants of the retail outlets who park there at present to load and unload, they would have to utilise the parking at the front. This is supposed to be for customer parking and limited waiting time dependent, it may not necessarily be available when required for loading and unloading, these vehicles should be included as being displaced.
- Are the delivery vehicles/waste disposal vehicles using this new improved Western access route for the shops and flats able to access this narrow entrance?
- Are they expected to reverse back out into Beechlands Close? Clearly they will not be able to turn around and therefore, is that safe practice?
- A door opening out onto this new vehicular non public route would have to be considered an obstruction/hazard to one party or another. The pedestrian access would be under a "not uncommon shared surface arrangement" and "no pedestrian zones would be required". A pavement would also further restrict the width of the route for vehicles having to use it.
- The tenants of flat numbers 139 & 143 have no internal staircase to allow direct access to the front parade, even though it still appears on some plans.
- The distance for the young family in flat 143 to the new proposed fire escape is unaltered at 34 metres and the landlord's most recent tenants adjacent to them in flat number 139 have a child. If there is a fire in either of the 2 Northern end flats over the shops, numbers 129 ( over fish & chip shop ) & 133, have no viable safe means of escape for the residents if the fire escape were to be relocated as per the plan. In these circumstances people including young children would be directed towards the hazard via the various obstructions on the balcony.
- As residents of 125 North Lane for the last 43 years we do not consider "The Standard" 10 metres from the rear boundary relevant when it comes to our loss of amenity.

Officers Comment:

As previously stated satisfactory means of escape would be dealt with by Building Regulations.

County highways have no objection to the proposal in terms of:

- Impeding access to the rear of the shops or the adjoining property.
- Access by emergency vehicles.
- The position and provision of car parking or Highway safety.

The 10m distance used to assess the impact on residential amenity is not affected by the length of time neighbours have been in residence.

Report Update for 06-06-2018 Committee

A substitute Proposed Site Plan, Block Plan and Location Plan 2.11 rev E has now been submitted indicating the extent of the footprint of the withdrawn application.

One additional no objection comment requesting that shop tenants 3 - 13 Sea Road can adequately use their rear service road for loading, unloading and parking in the light of the proposed widening scheme of this access road.

Two additional comments from neighbour regarding access and parking:

- it was claimed in Court by the owners of the land that there was an agreement with the Power Company to alter their Rights of Way, however, this was dismissed by the Judge at the time as no documentation substantiating the claim could be produced.
- There is no disagreement with the Court Order giving us and our visitors the rights over this land, except that the right to park is not specified as being " around the entrance to our property" as suggested. Quite the opposite in fact, rather "where available at the time providing we do not obstruct others " over the whole of the land ( certain restrictions apply with regards to delivery vehicles).
- Also for the UK Power Networks " to pass and repass at all times with plant and personnel for all purposes over and along the land coloured blue and brown on the said plan". This refers to the proposed reduced access route on the Eastern side of the development where we also have specific rights.
- Where is parking for the substation indicated? Eurosite's tenants are to be refused permission to park at the rear of their premises, but the owners (their landlord) and his tenants disagree, particularly as parking at the front is for customers to the parade of shops and limited to a restriction of 2 hours and not for those tenants attempting to run a business in the parade. Any large delivery vehicles attempting to manoeuvre into this "improved access" would require to ride over the kerbs and pavements ( "One Stop" are allowed to do so) due to the restrictions coming in from, and then presumably reversing back into Beechlands Close ( blind). Or is there a turning area?
- Are any vehicles allowed to park at the rear? The point is that they are mostly the landlord's tenant's vehicles who may have had their rights removed from the leases, but have not been prevented by him from parking and therefore will be displaced if this application is allowed.

Additional comment and information from the application agent on representations so as to clarify the land ownership situation:

- Dearden Homes Ltd, developed the cottages known as Beechlands Cottages and retain

ownership of no. 4 at to the eastern end. The company also owns the land on the eastern side of the cottages on which planning permission was granted for a further dwelling under application EP/41/17 with the remainder forming the access to the land at the rear. There is a right of way over this access for the owner of the land at the rear (Greenmanor), UK Power Networks (to access the substation) and certain vehicle and pedestrian rights for the owner of 125 North Lane. Both Greenmanor and UKPN have agreed to relinquish their existing rights of way across the new development in favour of an improved access to the west of the site as proposed by the application.

- Greenmanor owns the land to the rear of the cottages which includes the existing building and garages to be demolished as part of this application and the shops with four flats above at the northern end of the parade. There are no rights for any occupiers of its land to park in connection with their use and in particular, it is not included in the tenancy agreements of any of the shops or flats. Parking has taken place on the land in an uncontrolled, ad hoc manner and some of that parking will be in connection with the existing building on the site which will be demolished hence removing that use.

- The garages are not in regular use for the parking of vehicles. The owner of no. 125 North Lane has established a right to park three cars on the land which can be accommodated around the entrance to that property and will be in addition to the parking within the curtilage of the dwelling.

- Eurosite owns the access to the west of Beechlands Cottages (roughly to the line of the rear gardens)

and the shops and flats at the southern end of the parade. The application proposes improvements

to this access to allow access only to the rear of the shops with no parking to be allowed.

- It is therefore submitted that there will be no displacement of parking from the site as a result of this

proposal. The only right to park (established by the neighbour) will be retained along with all rights of way. Any parking which has taken place in connection with the building to be demolished will cease

as will all other uncontrolled parking.

- The existing informal parking of vehicles on the site should not override the more efficient and effective use of the land to provide new homes in a sustainable location. This was a point accepted by Members at the same Committee meeting in relation to another application in Eastergate (AL/8/18) and therefore should be consistently applied-

- The particular rights of way across the land are a private matter to be dealt with by the applicant should planning permission be granted. The neighbour can park 3 vehicles if space is available in common with other current users where available. The comment that this is likely to be around the entrance of his land was made to be helpful but not prescriptive and therefore we will not be demonstrating it on a plan.

The right of way of UK Power Networks will be maintained and the route that will take is again a private matter (my client can produce evidence demonstrating that UK Power are agreeable to an alternative right of way but feel we would be straying into irrelevant non-planning matters). There is currently no parking allocated for the substation so there is no change in circumstances. It is not a regular use in any event.

We have already commented on large delivery vehicles and the fact that they cannot currently access the site so again no change is proposed.

Finally tenants have not had their rights removed from leases as the right was never in any lease. Parking has not been prevented by the landlord but that does not mean that it has to continue where the land can be put to a more effective use. It is therefore highly relevant that it has only ever been an informal arrangement and by no means permanent. The parking cannot be displaced if it was not a formal arrangement in the first place. As stated in my previous letter, this was an argument accepted by the Planning Committee at the last meeting when considering its own application for houses in Eastergate where the loss of informal parking was not considered an impediment to development

Officer's comment:

The substitute plan has been referred to in the plans condition.

The retention of parking and rights of access are essentially a private matter and do not affect the final planning decision.

It is not considered that the amount of traffic and parking generated in the application site area, to the rear of the shops, would materially increase as a result of the development .

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Demolition of existing buildings and erection of 2 no. dwellings with associated car ports/parking, alterations to existing access and relocation of staircase to flats - Amendment to EP/138/17/PL

Land rear of Beechlands Cottages  
Beechlands Close  
EAST PRESTON

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**RECOMMENDATION**

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**Approve Conditonally**

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- 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:  
Proposed Site Plan, Block Plan and Location Plan 2.11 revE, Proposed Plans and Elevations 2.10 revC, Elevations of New Staircase to existing building 2.03 revA.

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 No development shall be commenced until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction and confirming operating hours. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access which could compromise highway safety in accordance with the NPPF.

- 4 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 GEN7 and GEN9 of the Arun District Council 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.

- 5 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy GEN7 of Arun District Local Plan.

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

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 8 Before occupation of the dwellings the emergency escape staircase on the north elevation shall be provided with obscure glazing as detailed on drawing 2.03 revA and it shall be retained at all times and remain glazed entirely with obscure glass.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 9 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 10 No development above damp proof course (DPC) level shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 11 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 12 INFORMATIVE: Drainage Engineers advise that 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 BRE 365, 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 30% 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 are also available on request.

- 13 INFORMATIVE:A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on the website.



## REPORT UPDATE

**Application no:** F/5/18/RES  
**Page no:** 55  
**Location:** Land South of Burndell Road Yapton  
**Description:** Approval of reserved matters following outline consent F/7/15/OUT relating to appearance, landscaping, layout & scale for residential development comprising of 45No. dwellings. This application also lies within the parish of Yapton. Resubmission of F/23/16/RES

### UPDATE DETAILS

Reason for Update/Changes:

1] An additional condition has been included as part of the recommendation concerning the height of the walls adjacent to the 'village green' and the parking spaces associated with plots 17, 18, 21, 22 and 23.

2] An additional condition, which was originally requested by Greenspace, has been included as part of the recommendation requiring the submission of details relating to the locally equipped area for play (LEAP).

3] The condition proposed by Greenspace in relation to management and maintenance of open space has not been included as part of the recommendation as this information has been secured as part of the s106 agreement originally agreed and signed under reference F/7/15/OUT.

4] The deed of variation submitted under reference F/2/18/PO has been recommended for approval and will be determined under delegated authority. As identified within the report this will secure the provision of 13 no. intermediate homes on site. The original s106 agreement signed under reference F/7/15/OUT identified the following definition of intermediate housing under paragraph 2.24 and this definition remains unchanged;

"means homes for sale and rent provided at a cost above social rent, but below market levels including shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing."

This definition aligns with that included in the National Planning Policy Framework. The Council's Housing Strategy and Enabling Manager has also secured an agreement with the provider that the sales and marketing of the intermediate homes will prioritise local persons who have a live/work connection to the Ford/Yapton area for a period of 3 months.

5] Two conditions have been included restricting the erection of fences, walls, gates and other means of enclosure and hard standings forward of the primary and side elevations of the dwellings in order to protect the visual and residential amenities of future occupiers and maintain the character and layout of the development.

6] Additional consultation response received from the Council's Drainage Engineers (dated

05/06/2018);

- The use of a tank rather than pond was agreed as the only way forwards, the tank is to be positioned outside of the play area to ensure that it can be accessed for maintenance.
- I also requested the use of more permeable paving so that further treatment of road water could occur. However, southern water does not adopt sewers under permeable pavement, and the developer is therefore not willing to provide these in areas. There are other ways to ensure sufficient treatment occurs from the site, and I will ensure these are pursued at DOC stage.
- The applicant has agreed to complete works to surrounding ditches to remove vegetation and silt and restore them to an appropriate condition.

7] 1 No. letter of support provided by former objector (dated 6th June 2018);

"Following the amendment to the surface water drainage published on the 4th June I would like to formally remove my previous objection to this planning application. I now fully support this well designed proposed development".

8] An additional condition has been included requiring submission of details relating to the design of the pumping station.

Officers Comment:

1] Please see condition no. 5 on the amended recommendation sheet.

2] Please see condition no. 4 on the amended recommendation sheet.

3] No comments.

4] No comments.

5] Please see conditions no. 6 and 7 on the amended recommendation sheet.

6] Comments are noted. It is considered that this additional consultation response does not conflict with the recommendation.

7] No comments.

8] Please see condition no. 3 on the amended recommendation sheet.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

**FORD**

F/5/18/RES

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Approval of reserved matters following outline consent F/7/15/OUT relating to appearance, landscaping, layout & scale for residential development comprising of 45No. dwellings. This application also lies within the parish of Yapton. Resubmission of F/23/16/RES

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Land South of Burndell Road  
Yapton

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**RECOMMENDATION**

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**Approve Conditonally**

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

Location Plan - dwg no. 18-1012-001  
Site Plan - dwg no. 18-1012-006-A  
Garages and Garden Store Plans - dwg no. 18-1012-052-1st  
Boundary Wall and Fence Details - dwg no. 18-1012-051-1st  
Massing and Active Frontages Plan - dwg no. 18-1012-007  
Site Sections - ddwg no. 18-1012-050-1s  
Plot 1 - Floor Plans & Elevations - 18-1012-020-B  
Plot 2 & 31 - Floor Plans & Elevations - 18-1012-021-B  
Plot 3 - Floor Plans & Elevations - 18-1012-022-B  
Plot 4 & 5 - Floor Plans & Elevations - 18-1012-023-B  
Plot 6, 7 & 37 - Floor Plans & Elevations - 18-1012-024-B  
Plot 8 - Floor Plans & Elevations - 18-1012-025-B  
Plot 9 & 10 - Floor Plans & Elevations - 18-1012-026-B  
Plot 11, 12, 29 & 30 - Floor Plans & Elevations - 18-1012-027-B  
Plot 13 - 16 - Floor Plans & Elevations - 18-1012-028-A  
Plot 17 - Floor Plans & Elevations - 18-1012-029-B  
Plot 18-19 - Floor Plans & Elevations - 18-1012-030-B  
Plot 20-21 - Floor Plans & Elevations - 18-1012-031-B  
Plot 22-24 - Floor Plans & Elevations - 18-1012-032-A  
Plot 25-28 - Floor Plans & Elevations - 18-1012-033-B  
Plot 34 - Floor Plans & Elevations - 18-1012-036-B  
Plot 33 - Floor Plans & Elevations - 18-1012-035-B  
Plot 32 - Floor Plans & Elevations - 18-1012-034-B  
Plot 35 - Floor Plans & Elevations - 18-1012-037-B  
Plot 36 - Floor Plans & Elevations - 18-1012-038-B  
Plots 38, 39, 40 & 41 - Floor Plans & Elevations - 18-1012-039-B  
Plots 42 & 43 - Floor Plans & Elevations - 18-1012-040-1st  
Plots 44 & 45 - Floor Plans & Elevations - 18-1012-041-B

Landscape General Arrangements (Sheet 1 of 4) dwg. 1938-1001 P04  
Landscape General Arrangements (Sheet 2 of 4) dwg. 1938-1001 P04  
Landscape General Arrangements (Sheet 3 of 4) dwg. 1938-1001 P04  
Landscape General Arrangements (Sheet 4 of 4) dwg. 1938-1001 P04  
Soft Landscape Proposals (Sheet 1 of 4) dwg. 1938-3001-P01  
Soft Landscape Proposals (Sheet 2 of 4) dwg. 1938-3002-P01  
Soft Landscape Proposals (Sheet 3 of 4) dwg. 1938-3003-P01  
Soft Landscape Proposals (Sheet 4 of 4) dwg. 1938-3004-P01

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.

- 2 No dwelling shall be occupied until the parking spaces, turning facilities and garages for that dwelling shown on the approved plans have been provided and constructed for the dwelling to which they relate. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy GEN7 of the Arun District Local Plan.

- 3 Full details of the pumping station's design, including elevations and floor plans, if required, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of residential and visual amenity in accordance with policy with Policy GEN7 of the Arun District Local Plan

- 4 Prior to the occupation of the first dwelling details of the LEAP, including equipment, fencing and connectivity to pathways shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

- 5 The walls situated between the parking spaces associated with plots 17, 18, 21, 22 and 23 and the public open space shall measure a maximum height of 1m.

Reason: In the interests of visual amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 6 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reasons: In the interests of visual amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding shall be created on land forward of the principal or side elevation of the dwelling, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 8 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 9 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 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.

## REPORT UPDATE

**Application no:** A/8/18/PL  
**Page no:** 75  
**Location:** Land Rear of 1 To 6 The Cottrells Angmering  
**Description:** Variation of condition 2 imposed under A/173/16/PL to read 'the development to be carried out in accordance with the following approved plans ADC 962/04 REVA, ADC962/13 & ADC962/14 relating to slight repositioning & change in size of building, revised position of rooflights on east, north & south elevations. This application affects the character & appearance of the Angmering Conservation Area.

### UPDATE DETAILS

Reason for Update:

Additional plans and comments

The agent has checked the site dimensions and confirmed drawings No ADC 962/04A, 13A & 14A are correct as built and do not need amending to reflect what has been built. Drawing ADC 962/18 shows the approved building outline in red. The footprint is generally in line with the approved scheme but there are small discrepancies because the foundations had to be piled and piling is not always an exact science.

Two of the columns, and therefore the first floor structure, is 150mm closer to the southern boundary. Following receipt of this plan the application was re-advertised.

For further clarification the agent has submitted a revised first floor and roof plans ADC 962/13B with the outline of the approved scheme dotted in red. He also submitted a further cross section plan indicating the dimensioned internal floor height of windows on both side elevations is 1.5m..

The Council's Solicitor has been re-consulted given the additional information submitted by the neighbour regarding land ownership. and confirmed that having considered the documents he had nothing to add to his previous advice.

5 additional objection representations largely re-iterating concerns already referred to in report::

- size and positioning of the windows cause material harm to local residents. The application refers to slight changes in sizes however the overbearing nature of the building changes the character of the neighbourhood.
- During the planning process residents were assured that their privacy would not be compromised by the development. Now that the building is built we discover that this is far from the case.
- The current application shows the fully opening windows that have been installed instead of the escape roof lights approved by the committee. These installed windows appear to be 30% larger than those shown in the approved plans. The positioning and cill height of the windows mean they give a direct view into neighbouring properties. Surely this was never the committee's intention when approving the plans. My understanding was that the approved roof lights would not have opened except in an emergency.



- The building is so close to my house that I have stood at my upstairs window and spoken, without raising my voice, to builders stood in the new fully opened windows.
  - The development overlooks the rear the neighbouring properties where the secondary bedrooms are located. These rooms are predominately children's bedrooms.
  - With the heightened awareness of child endangerment is it not both inappropriate and potentially dangerous to have a direct view into these rooms.
  - The problem persists outside, our gardens are short, the new building is high and the windows give a clear view into our gardens. Parents expect their children to be able to play safely and without worry in their own gardens.
  - I would like the committee to defer any decision and make a site visit and I invite you into my home to see the effect this development has.
  - I also ask the committee to act to ensure the position, height and type of windows only allow light into the dwelling and not a view out. This could be achieved by installing fixed glazing with an increased cill height of at least 1.8m or even using obscure glass. The large fully opening conventional window on the west elevation does not overlook any property, it provides light, ventilation and a view. This window could be fitted with appropriate equipment to be used as a fire escape.
  - The application also refers to an alteration in the size of the building, the applicant refers to these as slight. As the submitted plans do not have all the measurements on we are unable to verify if these are actually wholly correct and the line of the wall and kerb marking the south boundary infringes on the shared alleyway which does not belong to the developer.
  - The plans are also incorrect as they show the alleyway running the length of the site whereas the alleyway terminates at the boundary with No.5. The Cottrells - this can be verified with the most recent land registry plans. This has to question if the plans have been drawn from the correct source.
  - Regardless of any boundary disputes outside the remit of planning, surely the plans for this application should be fully complete so the committee can make an informed decision.
  - The term "rooflights" is misleading and incorrect. These are not rooflights but full size opening windows. .
  - It has been obvious from day one that the developer never intended to keep to the approved plans and adhere to the planning conditions. The promised kerb making the boundary clear between the site and the ally running behind houses 1-5 has been built on private land that the developer does not own. This has also restricted use of a crucial drain cover.
  - it appears that the internal layout of the property has been changed by putting a kitchen upstairs against planning approval so that a third bedroom can easily be accommodated in what has been called an occasional room. This is a blatant disregard for the planning process and an obvious attempt to increase the value of the development. This would most likely lead to the property requiring several car parking spaces and in an already congested road which does not have the capacity for its current occupants this would cause a great deal of further disruption.
  - The development plans detailed two car parking spaces directly off from the road. These spaces would require a drop kerb for access. It appears the developer has no intention of correcting this issue. This has not even been applied for via the Highways commission yet and without this the two spaces are rendered useless.
  - The landscaping, consisting of several plants and 2 small trees are already dying as there is no soil to sustain them in their position. It has still not been confirmed who will pay for and maintain this area underneath the building and the car parking spaces themselves.
- I strongly recommend that this application is refused. To date the developer has ignored most if



not all of the condition set upon this build and therefore to approve conditionally would mean that he would most certainly ignore any further conditions set.

- additional drawing ADC962/18 showing the amended footprint does not match what has been built with regards to the internal layout of the ground floor. There is a new door within the room identified as the KITCHEN that opens into what is identified as the WC. A shower cubical (with chrome edging and handle) can be clearly seen in this room. Also there do not appear to be any mains sockets in the walls at worktop height which is a common feature in all kitchens. Neither the door or shower are shown on drawing ADC962/18.
- The as built layout matches that in drawing ADC962/04 submitted for application A/162/17/PL with Bedroom 1 with an en-suite shower room downstairs. This application was refused in 2017. As no kitchen has been installed downstairs, one can assume that the intention must be to install it upstairs. The refused application defined a three bedroom scheme with a galley kitchen in the upstairs living area.
- The conditionally approved A/173/16/PL is for a two bedroom property and it has an appropriate garden size and one allocated parking space for this scheme. There were many letters of objection to the creation of a three bedroom property as it is more likely that the household would have a second car which would materially impact the already congested parking situation in The Cottrells.
- Condition 2 of Conditionally Approved A/173/16/PL identifies that no external or internal changes are permitted without approval. The downstairs layout appears to have been built as a bedroom with en-suite shower room, not a kitchen plus WC.
- The submitted plans therefore do not match what has been built. Can they be considered as a valid document for the application?

Officers Comment:

There is no additional officer comment.

Note: The changes to recommendation conditions are attached on the amended replacement recommendation sheet.

Variation of condition 2 imposed under A/173/16/PL to read 'the development to be carried out in accordance with the following approved plans ADC 962/04 REVA, ADC962/13 & ADC962/14 relating to slight repositioning & change in size of building, revised position of rooflights on east, north & south elevations. This application affects the character & appearance of the Angmering Conservation Area.

Land Rear of 1 To 6  
The Cottrells  
Angmering

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## RECOMMENDATION

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### Approve Conditionally

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- 1 The development hereby approved shall be carried out in accordance with the following approved plans: Location and Block plans ADC962/LP, Elevations and Section ADC962/14 A, Floor Plan & Roof plan ADC962/13 revB, Ground Floor Plan ADC962/04 Rev A and Comparison Plan ADC962/18.

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.

- 2 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) or external alterations to the dwelling house shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers and maintain adequate amenity space in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) the layout of the building shall not be altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the intensity of use of the development in detail on this relatively small plot in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Details of the finishes to be used for the supporting piers shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be provided prior to occupation.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District 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 the plans and details submitted to and approved by the Local Planning Authority under A/64/17/DOC.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.LAN

- 6 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan ADC962/04A. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

- 7 The landscaping details approved under A/64/17/ DOC shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of 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.

- 8 **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.