

PLANNING APPLICATION REPORT

REF NO: A/9/19/PL

LOCATION: Pound Place
Roundstone Lane
Angmering
BN16 4AL

PROPOSAL: Demolition of existing dwelling & erection of a 62 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane (resubmission following A/51/18/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposed development is for the demolition of the dwelling Pound Place and the erection of a two storey, 62 no. bed (3,503sqm) residential care home (Use Class C2) which will provide 24 hour professional care and support for the elderly, associated car parking and landscaping. The number of units has dropped by 2 from the 64 units previously refused.</p> <p>The building has a pitched roof with an eaves height of 5.3m and a ridge height of 10.5m. The footprint of the building is 94m long by 28m wide. It is located to the rear of the site with 30 car parking spaces fronting to Roundstone Lane and 2 disabled spaces further into the site.</p> <p>The proposal also includes a single storey bin store building with a footprint of 5.3m by 5.8m and a 2 storey garage/store with a footprint of 17m by 5.5m with a front elevation which appears as a pair of semi detached properties.</p>
SITE AREA	0.753ha.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	82 bedrooms per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	A Tree Preservation Order has been issued covering the conifer trees to the boundaries of the application site.
BOUNDARY TREATMENT	Trees/hedging and fencing to site boundaries.
SITE CHARACTERISTICS	Pound Place comprises a single residential property, two storeys in height (plus habitable accommodation within the roof) located within a large curtilage to the east of Roundstone Lane, Angmering. The property is set back from the highway by approximately 100m, with extensive mature trees and landscaping around the boundaries of the site.
CHARACTER OF LOCALITY	Pound Place is located to the east of Roundstone Lane and is part of a larger site for the area to provide 600 homes to the

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east of Angmering. The Masterplan document was prepared and presented to Members of the Council in 2014, to demonstrate how sites to the east of Roundstone Lane could link together to provide 600 homes.

Sites to the north and south of the site have been granted permission with a number of the properties already completed and occupied.

To the west of Pound Place lies the Bramley Green development which has a mix of two and two and a half storey properties fronting Roundstone Lane.

To the east is the Angmering By Pass road and the South Downs National Park beyond.

RELEVANT SITE HISTORY

A/51/18/PL	Demolition of existing dwelling & erection of a 64 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane. This application is a Departure from the Development Plan.	Refused 15-11-18
A/154/14/OUT	Outline Application for the erection of 18 No. dwellings	App Cond with S106 02-04-15

One recent application has been approved for residential development on the site A/154/14/OUT - 18 dwellings.

On the neighbouring sites to the north and south which form the wider strategic allocation for 600+ units the following applications for residential use have been approved:

A/82/12 - Residential development comprising 138 no. dwellings - Land to east of Roundstone Lane.

A/167/14/PL - Erection of 46 residential dwellings - Land at Pound Nursery.

A/144/15/PL - 246 No. residential dwellings - Land at West End Nursery.

A/132/17/OUT - 30 Dwellings at Quiet Waters.

This application has amended the previously refused application A/51/18/PL by moving the development approximately 6m closer to the site frontage and introduce a feature in front of the store/parking building (as shown in plans 1388/002 E & 1388/010 A), reducing the number of bedrooms by 2 and altering the rear boundary treatment.

In granting outline planning permission on the site A/154/14/OUT, the Council attached the following Informative.

"The applicant is advised that, whilst the Council is satisfied that a layout accommodating 18 dwellings

can be achieved on the site, there are significant objections to the indicative layout submitted with the application. Any reserved matters submission will need to demonstrate that it can link the approved schemes to the north and south together with pedestrian and vehicles and will need to incorporate good design principles to provide an open space that is overlooked by development (as the schemes to the north and south do). At this time, it appears very unlikely that any scheme that seeks to retain the existing dwelling on the site could provide a satisfactory layout that satisfies these requirements."

The previous application, reference A/51/18/PL, for a 64 bedroom scheme was refused for the following reasons:

1) The layout, excessive scale, footprint and site coverage and consequent lack of open space result in an unacceptable overdevelopment of the site which is harmful to the visual amenities of the locality and detracts from the character of the area in conflict with policies D SP1 and D DM1 of the Arun Local Plan and policies HD5, HD6 and HD7 of the Angmering Neighbourhood Plan.

2) By virtue of its siting on the site with the significant set back from the Roundstone Lane frontage, excessive site coverage, unacceptable relationship with the adjoining open space and lack of linkages with development to the north and south of the site, the proposal is not in keeping with the character and appearance of the area. The proposals will significantly detract from the character of the area in conflict with policies D SP1, D DM1, T DM1, T SP1 and ENV DM5 of the Arun Local Plan and TM1 of the Angmering Neighbourhood Plan.

3) The proposed development fails to make an adequate contribution towards affordable housing provision, infrastructure and additional health care facilities and would therefore be contrary to policies AH SP2 and INF SP1 of the Arun Local Plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

First Response - No Objection.

The revisions are welcomed. A major objection of Arun District Council had been the lack of open space linkage with developments to the north and south of the site as envisaged in the Master Plan. The re-location of the building has rectified this.

It was noted that the ridge height was to remain the same as in the previous application which had been reduced from the height in the developer's initial application.

The building has a large footprint and, with its size and use, our Housing Policies cannot be readily applied. However the proposed development is considered a good use of the land, with a building form appropriate to the environment which, along with the welcome provision of employment, is in accordance with the general principles of the Angmering Neighbourhood Plan.

Second Response - Support.

- The application has been amended and is sympathetic to its surroundings.
- Overlooking of neighbouring properties has been taken into account.

Three letters of Support.

- Support removal of any through access at the end of Brougham Grove.
- The replacement of the very large trees is welcomed.

- The trees don't provide adequate screening to prevent overlooking. The proposed replacement trees will be easier to maintain and support more wildlife.
- The agent has been proactive and taken on board our comments relating to the screening of windows, size and location of the building on the plot, and replacement of trees.
- There is a significant lack of this kind of care home in the area.
- A number and variety of new jobs will be created.
- The site is bordered by the privately maintained public open space (POS). The integration of this area is as well as can reasonably be expected for a privately-owned piece of land.
- The current outline planning permission in place for 18 houses at Pound Place includes buildings in the area emanating onto the POS beyond that of the relocated and smaller care home.
- There is no reason to provide a further footpath or road link between the quiet cul-de-sacs at the end of Brougham Grove or Lambert Way.
- Support the removal of any further access at the end of Brougham Grove which the planners are seeking to link through to Lambert Way.
- The road at the end of Brougham Grove has a blind bend directly next to the public open space which children frequent and cross to the adjacent Local Area of Play.
- The road is not sufficiently wide to safely facilitate both parking and through traffic flow, the giving up of adjacent POS to support widening would not be acceptable.
- The overall size and form of the building is in keeping with the plot and its position along with the adequate screening proposed will integrate well into the surrounding estate.
- Hallmark has indicated it will provide enhanced health care support within its facilities. This should reduce the overall burden on the services not increase it.
- Maintaining the current access from Roundstone Lane will be beneficial reducing traffic through the new estate. Unlike the original plan for domestic dwellings which routed access via Brougham Grove.

Three letters of Objection.

- Unnecessary removal of healthy trees which are subject to Tree Preservation Orders (TPO).
- Increased noise and traffic will be a nuisance to residents.
- Negative impact on local NHS infrastructure from high-dependency residents.
- Loss of green visual amenity as viewed from Roundstone Lane.
- Western boundary of site in part shields the Bramley Green development from the South Downs (Highdown) and should be retained completely.
- The replanting scheme has failed to identify native evergreen species to break up the visual impact of the sizeable building.
- This is not a suitable location for a large care home. It is out of character in a residential environment.
- Over-development of the site with loss of garden and the open aspect.
- The increased traffic generated as a result will be a nuisance to local residents.
- Negative impact on the visual amenity.
- The numerous ecology reports that supported the recent development of Swanbourne Park and Pound Nursery indicated an abundance of birds and several species of Bats. The applicant is misleading to suggest that birds such as the Dunnock, Song Thrush, Linnet and Mistle Thrush which are breeding locally are not present in the Pound Place habitat.
- The evergreen trees surrounding Pound Place are categorized as early mature trees and are of a substantial height and prominence. The trees are of a generally healthy condition with no signs of disease or pests, as stated in the original Arboricultural report. The removal of trees on the Eastern & Western Boundary contribute to the visual amenity as viewed from public space on Roundstone Lane. They also significantly contribute to the shielding of the visual aspect from the South Downs National Park (Highdown) and help reduce light pollution for the designated Dark Skies Reserve and protect the setting of the South Downs National Park.
- Removal of the leylandii hedging would compromise privacy whilst planned replacement tree/hedge planting establishes. Consideration should be given for a fence or wall of sufficient height to maintain privacy.

COMMENTS ON REPRESENTATIONS RECEIVED:

The level of car parking is acceptable and in line with County Highways requirements. Drainage would be controlled by the imposition of conditions. Any removal of protected trees would be compensated for with replacement planting.

In granting outline planning permission on the site A/154/14/OUT, the Council were very clear in the report and decision notice that the indicative layout submitted in support of that application was neither approved or supported.

All other issues raised are addressed in the Conclusions section of this report.

CONSULTATIONS

WSCC Strategic Planning
Planning and Housing Strategy
WSCC Strategic Planning
NHS Coastal West Sussex CCG
Ecology Advisor
Parks and Landscapes
Sussex Police-Community Safety
Environmental Health
Arboriculturist
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

Greenspace Officer - No Objection.

The proposed site is screened extensively to all sides and of note are the TPO's which have been applied to protect much of this established tree cover. Significant tree and vegetation removal has been indicated to facilitate the proposals.

A landscape scheme will need to be conditioned detailing mitigation to provide screening to the new building and a scheme to enhance and provide a garden setting for the use of the proposed residents, their visitors and care home staff. Any scheme must take into consideration the needs of the development along with the wider viewpoints.

A comprehensive tree survey in accordance with BS5738 would need to be undertaken and tree protection fencing identified with the tree protection plan to be identified and applied to any permission.

Arboricultural Officer - No Objection.

Support the proposed high quantity of tree removal which is necessary to achieve and complement the proposal but the losses must be compensated for with an ambitious replacement tree planting programme. New trees must offer longevity and provide aesthetic and ecological value to the surrounding area.

West Sussex Police - No Objection.

The building will house vulnerable residents and so preventing unauthorised access to their private living accommodation is important with good access control and clearly defined separation between public and private areas.

Drainage Engineer - No Objection. Conditions requested.

County Drainage Engineer - No Objection. Conditions requested.

Ecology Officer - No Objection. Following submission of Bat Emergence Survey (Jan 2019), we are satisfied the mitigation proposed would be suitable and this should be conditioned. To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site. Damage to nesting birds should be minimised.

Affordable Housing - Objection. To meet the requirements of the council's Affordable Housing policy the applicants will need to either provide;

- a) 30% (19 units) of affordable housing on-site as part of the development with the tenure as above;
- b) Provide 19 units for affordable housing elsewhere in the District as part of a bespoke application;
- c) Agree a Planning Obligation set out in the S106 Agreement to pay a commuted sum of £1,520,000 (19 x £80,000) on commencement of the development in lieu of providing on-site affordable housing.

Viability Consultant - A reasonable approach has been taken to the viability assessment submitted by the applicant. It is agreed that the 62 unit scheme will not support an affordable housing contribution.

County Highways - First Response. Additional information requested relating to provision of a drawing referred to in the Transport Statement, details of footpath and a road safety audit to cover the revised access and footway.

Second Response. The proposal is unlikely to have a severe impact on the local transport system. Parking provision is above County standards. No issues are anticipated. Conditions recommended. The response did not include a request for contributions towards infrastructure as was the case in the previously refused application.

Clinical Commissioning Group - No Objection.

The original response still stands, with the amendment to the volume reduction of 2 flats equating to a £1,004 x 2 reduction resulting in a requested contribution of £62,310.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The viability consultants have advised that there is insufficient viability in the scheme to allow for the contributions requested by consultees. The proposal is not subject to the Council's affordable housing policy AH SP2.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

HDM2	H DM2 Independent living and care homes
SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM3	W DM3 Sustainable Urban Drainage Systems
INFSP1	INF SP1 Infrastructure provision and implementation
ENVDM5	ENV DM5 Development and biodiversity
EMPSP1	EMP SP1 Strategic Economic Growth

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

Angmering Neighbourhood Plan 2014 POLICY TM2 Cycling Walking & Equestrian

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The 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.

The relevant policies of the Angmering Neighbourhood Plan have been taken into account in the determination of the application.

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 not have a materially adverse effect on the visual amenities of the locality and character of the area or residential amenity.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of the Local Plan.

Policy HD1 of the Angmering Neighbourhood Plan states that "the Neighbourhood Plan allocates sufficient land to deliver at least the minimum housing requirement in the Arun Local Plan and that, without a Built Up Area Boundary significant further development would encroach into open countryside." The site is not within the Built Up Area Boundary as defined in the Neighbourhood Plan, but it is within the more recently adopted and up to date Arun Local Plan.

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.

Arun Local Plan 2011-2031.

In this case the other Arun Local Plan policy considerations are deemed to be D SP1 (Design), DDM1 (Aspects of Form and Design Quality), H DM2 (Independent Living and Care Homes) and T SP1 (Transport and Development). These policies seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Is easily accessible on foot or by public transport.
- The design is adaptable and appropriate in design and scale.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

Angmering Parish Neighbourhood Plan (ANP)

Policies HD4 (Materials), HD5 (Built Form), HD6 (Housing Layout and Design) and HD7 (Housing Density) seeks to ensure that development by way of materials used, appearance and design are appropriate to their location.

It is also material to this application that planning permission for residential development has been granted for residential use for 18 dwellings (A/154/14/OUT). It is considered that the provision of

residential development on the site is appropriate.

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

PREVIOUSLY REFUSED SCHEME

Planning application A/51/18/PL was refused planning permission at Committee in November 2018. Therefore, an assessment of the current proposals has to consider how it has addressed the previous reasons for refusal and if it has done so adequately. The previous reasons for refusal related to;

- Excessive scale, footprint and site coverage.
- Lack of open space.
- Significant set back from Roundstone Lane.
- Unacceptable relationship with adjoining open space.
- Lack of linkages to the sites north and south.

In response to these objections, the applicant has made the following amendments;

1. Re-sited the building 6m closer to Roundstone Lane (it is 33m back as opposed to 39m).
2. Reduced the number of proposed units by 2 (from 64 to 62).
3. Reduced the height of the building by 0.5m.
4. Introduction of a two-storey garage building on the western boundary.
5. Revised site layout that shows a reduced developed area in order to allow for open space to be provided on the eastern end of the site.

VISUAL AMENITY AND DESIGN

The site is bounded by new residential development to the north and south comprising 2 storey semi-detached and detached dwellings. Given the nature of both the visual context of the site and the form of the development, the mainly two-storey structure with an upper second floor contained within an attic construction, similar to neighbouring buildings is acceptable in terms of height.

The design of residential development along Roundstone Lane is largely of two storey properties with an open and strong aspect clearly evident along the street frontage. The character of the area is therefore considered to be suburban in character typified by detached and semi-detached properties, some in spacious layouts, with a visual presence in the Roundstone Lane street scene. New trees and vegetation contribute to the character of the area.

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy D DM1 requires new developments to reflect or improve upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, layout and building materials. Policy DSP1 of the Local Plan requires proposals to make efficient use of land. These principles are replicated in the Angmering Neighbourhood Plan in policies HD5 - HD7. The NPPF also attaches great weight to the design of the built environment and states that local circumstances should be taken into account, to reflect the character, needs and opportunities of each area. Good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Para. 130 suggests permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The Council sought additional advice in respect of the design of the proposal for a 71 bed care home

which was submitted for pre-application advise. This advised that the overall scale and massing of the building seemed excessive owing to the height and massing of the roof. The roof was artificially raised to allow a roof terrace or a lower flat element. The ridge line at between 11m and 12m high was more akin to a 3/3.5 floor building.

The application amends the scheme refused planning permission by reducing the number of bedrooms to 62 and repositioning the main building approximately 6m closer to the western boundary with Roundstone Lane. The proposal also now includes a 2 storey storage/car parking building at the front of the site. This has a height of 8m and length of 17m and has been provided to attempt to provide a better integration with the street scene. The provision of this building improves the site frontage to Roundstone Lane.

The layout for 18 dwellings on the site (reference A/154/14/OUT) has not been approved. The approved plan at outline stage demonstrated that 18 units could be accommodated on the site. However the siting of dwellings further to the east was not approved. The officer report clearly stated that the indicative layout was unacceptable and layout was not being approved. It stated:

'A revised layout has been submitted. This is indicative at this time but it now shows that adequate open space can be provided. Whilst this plan is indicative (and is therefore acceptable for the purposes of an outline planning permission), there are a number of significant issues that will need to be addressed at reserved matters stage. The indicative scheme fails to provide a 'frontage' to the open space and it shows dwellings that back onto the open space with rear garden boundaries. This would not be acceptable at a reserved matters stage and would not accord with the approved masterplan.'

The revisions to the plans which have now taken place means that moving the building forward releases land on the outer eastern edge of the site. There is now sufficient open space to provide a better relationship and integration with the open space to the rear of the site and that north and south of the site. This makes the proposal accord with the masterplan.

The height of the building reflects the adjacent residential dwelling height, and the appearance of the elevations in design detail terms is acceptable. The use of differing materials assists in visually splitting the building into sections. Whilst the bulk and extent of the building in terms of its length and width across the plot results in a bulky form of development this would not be sufficient to warrant refusal of the application. The elevations of the building are staggered, which visually breaks up the elevations. The building still visually appears to extend across the plot width and over half of the depth of the site with a solid ridge line spine running along the depth without any visual break or separately defined roof pitches, but the space around the development is adequate to ensure that the built form does not unacceptably harm the visual amenities of the locality.

The proposal now integrates with the development to the north in that the built form does not extend beyond the eastern limit of that residential development and the railings adjacent to the site have been moved further to the west to provide a better relationship with the extensive area of open space to the rear. The open space now connects adjoining sites together and no longer provides an intrusive harsh boundary adjacent to the open space. This part of the proposal no longer contrasts starkly with the flat open area to the north. Since the built form is limited in its eastern projection to reflect that to the north it more positively contributes to the feeling of space derived from the area. A condition is recommended to secure the laying out of the space beyond the proposed boundary to ensure that the comprehensive open space is delivered.

The Angmering Visioning Brief dated 2013 prepared for Arun District Council by URS recognised there was an opportunity at Angmering to deliver a substantial number of new homes in a leafy, attractive environment using a comprehensive approach to planning. It was underpinned by Garden City principles

which sought to provide an attractive expansion of Angmering providing a high quality landscaped village setting for at least 490 new homes to the east of Roundstone Lane.

A range of high quality homes were to be developed in a series of interconnected, walkable neighbourhoods focused around a central green spine, widening and complementing Angmering's offer with similarly high quality but different types of housing.

It was intended that the development would provide new open spaces for residents and contribute towards the provision of new social and community facilities as required. The Brief set out the vision and principles for development in the area east of Angmering to guide individual landowners and developers who may come forward with proposals for their sites. Given the number of different land ownerships and private sector investment which would bring forward this development, the Brief was intended to provide an overarching framework to ensure that a comprehensive and integrated approach to development was in place as the sites came forward. The Brief resulted in a Masterplan dated 2014 whose central feature was a green link along the central north/south spine and 2 pathways running east/west across the site.

The proposed layout now allows access across the rear of the site to join development to the south and north. As a result the development provides a valuable opportunity to provide a visual link of open space from north to south, as suggested by the original Masterplan.

When considering dwellings/hectare the development does not appear as favourably, but the type of accommodation is not directly comparable. Individual dwelling densities are inevitably going to be lower. The approved development at the former West End Nursery site (A/82/12/) has a density of approximately 25 dwellings per hectare (dph) with the approved density for planning permission A/167/14/PL being 29 dph and 25 dph for A/144/15. However, the development density proposed in this application of 82 bedrooms per hectare is acceptable when beds/hectare are considered. The proposal therefore accords with policy HD7 of the Angmering Neighbourhood Plan which requires development to be of a density appropriate for and in keeping with the setting of the immediate surrounding area. The development makes efficient use of land in accordance with policy DSP1 without resulting in an unacceptable impact on visual amenity and character.

The design and layout of the proposed development now respects the location of the new development and open space either side and is both visually and physically integrated. The proposal includes a landscaped garden area at the eastern end of the site which, spatially, relates to the green areas to the north, east and south and is enclosed by railings. The boundary treatment surrounding the eastern end of the site has been amended to 900 - 1000mm high low level hedge planting with 1.8m high hoop top metal rail fencing behind and the area adjacent to this provides a garden for residents. The green and landscaped area would abut the public open space and although enclosed it would contribute positively to the appearance of the open space beyond. The revisions to the application have allowed part of the rear of the site to remain open and devoid of fencing/railings which has allowed for an additional open space to be provided adjacent to the existing space contributing to the overall spacious character of the area.

The scheme is now better connected to adjoining sites and embraces the valuable opportunity to provide a visual link of open space from north to south. The proposal is no longer perceived as a stand-alone development with no connection or links to the residential developments to the north and south or the central greenspace/park.

RESIDENTIAL AMENITY

The building is orientated to run the length of the site. There is therefore potential for overlooking to result to the adjacent new residential development to the north and south of the site. The proposed development has had to take into account the need to avoid the effect of actual and perceived

overlooking on adjacent residential properties. This has been achieved by providing adequate separation of habitable rooms to elevations facing on to adjoining dwellings and by the careful positioning of windows and selection of window types. The distance between the proposed building and the nearest dwelling to the north is 17m and 18m to the boundary and to the south it is also 17m to the dwellings and 8m to the boundary. The dwelling to the north most affected by the development is 2 Lambert Way and this has its front garden facing the application site where privacy would not be expected. The windows in the southern elevation of the development at first floor which are located closest to the southern boundary are indicated to be obscure glazed. In addition although much of the existing tree screening is being removed it is to be replaced and this screening would provide further privacy for both the neighbouring houses and residents in the care home.

The distances between the development and the site boundaries are considered to be adequate to prevent any materially adverse overbearing effects to neighbouring properties.

The proposal therefore accords with policy D DM1(3) in that it adequately addresses the impact to users and occupiers of nearby property.

AFFORDABLE HOUSING

Affordable Housing Policy AH SP2 of the Arun Local Plan, the Council seeks 30% affordable housing on-site on residential developments of 11+ residential units. This policy is designed for residential accommodation that excludes extra care accommodation as proposed in this application. As a result this development is not subject to policy AH SP2.

TRANSPORT

The Local Highways Authority (LHA) has assessed the Road Safety Audit and response submitted by the applicants and are satisfied that the development proposed does not raise any issues of major concern which cannot be dealt with at detailed design stage. A Transport Statement (TS) was sent in with the application. The statement reviews the highway and transport impacts of the proposed care home which is accessible by a variety of means of transport, including walking. The care home is expected to have a broadly similar traffic impact to that of the housing development on the site which received planning permission in 2015. Given the low number of trips, the highway authority has no issue with the potential traffic impact.

An improved road access is proposed and visibility splays appropriate to local traffic conditions are included. Within the site, adequate space is available for a large vehicle to turn. Adequate car parking is proposed at 33 spaces. Therefore, it has been satisfactorily demonstrated that adequate parking provision is achievable in accordance with policy TSP1 (d) and (e) of the Arun District Local Plan and policy HD8 of the Angmering Neighbourhood Plan.

The Neighbourhood Plan includes policies TM1 - Local Highways and TM2 - Cycling, Walking & Equestrian where support will be given to proposals which increase or improve the network of cycle ways and footpaths and this is also referred to in policy TSP1 (a)(b) and (f) of Arun Local Plan. This supports the view that there must be linkages through the Pound Place site and the proposal is therefore considered contrary to these policy objectives.

DRAINAGE/FLOODING

The application site is situated within Flood Zone 1 an area of land with low probability of flooding where all land uses are appropriate. WSCC Flood Risk Management Team have identified the site as being at low risk from surface water flooding and at high risk of ground water flooding.

Arun District Council drainage engineers have also been consulted in relation to this application and have raised no objections with the imposition of suitably worded conditions suggested. These include the

provision of Sustainable Urban Drainage Systems. It is noted that detailed investigations and design have been provided with this application following the requirements of groundwater monitoring and the hierarchy of preference for surface water drainage. This information will be fully reviewed at a later stage. The proposal would therefore comply with Policy WDM3 of the Local Plan.

ECOLOGY/BIODIVERSITY

An Extended Phase I Habitat Survey and Bat Emergence Survey accompanied the application.

The Phase I Habitat Survey identified no rare plants or habitats within the Site. The majority of the Site is poor semi-improved amenity grassland with scattered trees, surrounded by non-native hedgerow planting. No trees within the Site are considered to have potential to support bats and no further surveys of trees are recommended. The main house supports an infrequently used roost of common pipistrelle. As the main house supports a roost of low numbers of common bat species it is acknowledged that a Low Impact Bat Class Licence will be required from Natural England. Two cavity mounted bat boxes are proposed, one as compensation and one as an enhancement measure. These measures, and several others, are included within the Mitigation Strategy for bats which has been included in this report.

Habitat suitable for breeding bird has been identified within the Site, particularly the hedgerows and scattered trees, and precautions relating to removal of vegetation have been provided. As the main house was recorded to support one wren's nest, recommendations have been made for the provision of artificial nest boxes to compensate for this loss.

No evidence of other protected species was found during the surveys and the site is not considered to have potential to support protected species such as reptiles, dormice or amphibians, partly because of the isolation of this Site from other areas of suitable habitat; the Site is surrounded by roads or new housing developments on all sides.

A number of enhancements have been suggested including replacement of removed trees at a ratio of 2:1 and provision of a wildflower seed mix in any grassland areas.

The proposal does include removal of hedging but also provides for replacement and includes provision of bat/bird boxes in accordance with policy ENV DM5 of Arun Local Plan which requires development to achieve a net gain in biodiversity and to protect existing habitats on site. However, development schemes are also expected to facilitate the emergence of new habitats through the creation of links between habitat areas and open spaces. These provide a network of green spaces which serve to reconnect isolated sites and facilitate species movement.

The initially proposed layout did not maximise the potential integration of the development with the open space provided to the east and north. The opportunity to fully integrate the development with its surroundings has now been achieved with the revised layout extending the amount of open space at the rear. This will improve species movement and will have more ecological benefit.

TREES

A Tree Survey notes that the vast majority of trees potentially influenced by these proposals are confined to the perimeter and which provide valuable evergreen screening between adjacent developments. Although individually of limited merit they do have considerable group value. Approximately 2/3 of the boundary trees are proposed for removal - the retention of the remainder will add value to the development in the short-medium term.

The Tree Officer welcomes that a superior tree group (G2) along the west boundary (adjacent Roundstone Lane) is to be retained. This will provide valuable screening throughout duration of any works and continue to add value to the street scene post-development.

He concludes that, on balance, he can support the proposed high quantity of tree removal which is necessary to achieve and complement the proposal but the losses must be compensated for with an ambitious replacement tree planting programme. New trees must offer longevity and provide aesthetic and ecological value to the surrounding area. A landscaping condition is proposed to enable this to be achieved.

EMPLOYMENT

The proposal will make a significant contribution to employment opportunities in the area by creating 70 full time positions. Support for sustainable employment opportunities in inland settlements is encouraged under Local Plan policy EMP SP1 and the proposal would therefore accord with this policy.

COMPLIANCE WITH POLICY H DM2 OF ARUN LOCAL PLAN

The applicant has submitted a considerable amount of evidence which demonstrates the need for this type of accommodation both nationally and within the Arun District Council area.

Arun has one of the highest older populations (people aged 60+) when compared to other Local Authority areas within the County. Having regard to the age profile of the District, the Council recognises the need to support the provision of continuing care facilities for the elderly which include specialised care units. The need for care home developments in the area is confirmed in the Councils Updated Housing Needs Evidence and the text supporting the policy in the Local Plan which is concerned with the provision of such development. The National Planning Policy Framework also requires that policies and decisions ensure a supply of housing for all community needs, including the elderly.

The proposal would provide a new scheme for 62 bedrooms helping to address the demand for such accommodation in the locality. Policy HDM2 states that new care homes will be permitted where applications can demonstrate compliance with certain criteria and other policies in the Local Plan.

CONCLUSION

The proposal therefore accords with relevant development plan policies H DM2, D SP1, D DM1 & T SP1 of the Arun Local Plan, policies HD5 (Built Form), HD7 (Housing Density), HD8 (Parking for New Development) and TM1 (Local Highways) of the Angmering Neighbourhood Plan and is recommended for approval subject to the following conditions.

Permission is also sought for issuing the decision on the expiry of the advertising period on 13-09-2019 following consultation between the Group Head of Planning and the Chairman and Vice Chairwoman of Committee.

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:

1388 000A Location plan
 1388 001K Site layout plan
 1388 002E Site layout block plan
 1388 003F Information site plan
 1388 004A Bin store plan and elevations
 1388 010 Structure to front parking bays
 1388 101F Ground floor plan
 1388 102G First floor plan
 1388 103B Second floor plan
 1388 104 Roof plan
 1388 201D Elevations
 1388 202C South and west elevations
 1388 203D North and east elevations
 1388 204C Section elevations
 1388 BF2 Building footprint with refused scheme in red
 AD18024 1.01 A Site survey
 Rev 2 Dated 08/01/2015 Tree protection plan
 J180649-GL-L-DR-3-001C Boundary planting proposals

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 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.

- 4 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained 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.

- 5 Boundary landscaping shall be carried out in accordance with the details shown on plan (J180649-GL-L-DR-3-001C). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons 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 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 D DM1 and ENV DM4 of the Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme for the areas identified for planting on drawing J180649-GL-L-DR-3-001 revC. The approved details of the landscaping 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 D DM1 of the Arun District Local Plan.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015,(or any order revoking or re-enacting that Order) no fence/wall or other means of enclosure shall be positioned on the eastern boundary unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to safeguard the character and visual amenities of the locality in accordance with policy D DM1 of the Arun Local Plan.

- 8 Development shall take place in accordance with the mitigation detailed in the Bat Emergence Survey (Jan 2019).

Reason: In the interests of protected species and biodiversity in accordance with policy ENV DM3 of Arun Local Plan.

- 9 Prior to first occupation the hatched area indicated on drawing 1388/001 K shall be laid to be an open grassed area and shall remain, at all times, available for public use.

Reason: In the interests of the amenity and the character of the area in accordance with policy D DM1 of Arun Local Plan.

- 10 Before the development is occupied the proposed vehicular access to Roundstone Lane shall be constructed and provided with visibility zones, in accordance with the approved plans all to be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction higher than 600mm.

Reason: In the interests of road safety in accordance with policy D DM1 of the Arun Local Plan.

- 11 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policy D DM1 of the Arun Local Plan.

- 12 No development above damp proof course (DPC) level shall take place until details of boundary treatments screen have been submitted to and approved by the Local Planning Authority and no buildings shall be occupied until such boundary treatments have been erected.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 13 The building hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy D DM1 of the Arun Local Plan.

- 14 No part of the development shall be used until the covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The approved cycle storage/parking spaces shall thereafter be permanently retained in good working order.

Reason: In the interests of road safety in accordance with policy D DM1 of the Arun Local Plan.

- 15 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 building.

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 D DM1 of the Arun Local Plan.

- 16 No development shall commence, including works of demolition, until a Construction &

Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Council's Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- An indicative programme for carrying out of the work.
- The anticipated number, frequency and types of vehicles used during construction.
- The method of access and routing of vehicles during construction.
- The parking of vehicles by site operatives and visitors.
- The loading and unloading of plant, materials and waste.
- The storage of plant and materials used in construction of the development.
- The erection and maintenance of security hoarding.
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery.
- Measures to control the emission of dust and dirt during construction.
- Details of flood lighting (including intensity of illumination, type and direction of light sources).
- A scheme for recycling/disposing of waste resulting from demolition and construction works.
- Hours of construction works.
- An effective vehicle wheel-cleaning facility.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan.

- 17 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.
- 18 INFORMATIVE: A Natural England Protected Species Licence will be required for the works, and this will need to be obtained prior to any works taking place.
- 19 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.
- 20 INFORMATIVE: 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.

- 21 INFORMATIVE: To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop. If this is not possible a precautionary approach should be taken within the site with regards to reptiles.
- 22 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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

