



Appeal Decision

Site visit made on 27 May 2025

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2025

Appeal Ref: APP/C3810/W/24/3358077

Broadlees, Dappers Lane, Angmering, BN16 4EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval of reserved matters related to an outline planning permission.
 - The appeal is made by Natta Building Co Ltd. against the decision of Arun District Council.
 - The application Ref A/133/24/RES sought permission for approval of reserved matters pursuant to the outline consent Ref A/153/22/OUT.
 - The application was refused by notice, dated 5 November 2024.
 - The development proposed is for the construction of 20 No dwellings.
 - The details for which approval is sought are appearance, landscaping, layout and scale.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Natta Building Co Ltd. against Arun District Council. This application will be the subject of a separate Decision.

Preliminary Matters

3. The revised National Planning Policy Framework (the Framework) came in to force in December 2024. Consequently, any reference to Paragraph numbers in the Framework are to the revised version.
4. Following the approval of an outline permission¹, with all matters reserved other than for access, the principle of development on the site was accepted by the Council for up to 20 dwellings.
5. The outline permission was indicative of what might be possible on the site, subject not only to the reserved matters but also other planning policy requirements. For example, although the Council's 'Green Space' team concluded that the landscape detail of the outside space for the proposal was acceptable, the scale of the scheme, including that of the outside space was reserved. Therefore, matters related to scale, appearance, layout and landscaping remain outstanding and are the subject of this appeal.

¹ A/153/22/OUT

Main Issues

6. The main issues in this appeal are the effect of the proposal on:
- the character and appearance of the area; and,
 - the living conditions of future occupiers.

Reasons

Character and appearance

7. The appeal site is an 'L' shaped parcel of land that was previously occupied by the dwelling known as 'Broadlees'; and is accessed from Dappers Lane near to the junction with Water Lane. A residential care home is found to the south of the appeal site and there are new residential developments as well as a number of partially constructed developments nearby that are surrounded by fields and scattered woodland.
8. The proposed development would be constructed in materials that would accord with the traditional character and appearance of the area and, while varied in design, the scheme would have landscaped open space and be of a similar density, height and character to the surrounding dwellings.
9. The appellant accepts that the scheme could be arranged in a variety of ways, and that the layout of the outline scheme was indicative. Nevertheless, they contend that it would be unreasonable for the Council to require less than 20 dwellings on the appeal site. Moreover, that the proposal is well designed and would not only meet nationally described space standards, but also have generous garden spaces/privacy strips, as well as a centrally located public open space that would include a flowering lawn, unequipped play areas with benches, planting and stepping logs with new tree planting that could be enjoyed by the new residents.
10. However, the fact remains that the proposal would not only have insufficient open space or play areas for 20 residential dwellings to meet the Council's desired standards, but also have extensive areas of hard standings for refuse bins and vehicle parking, including a parking area near to the site access.
11. Consequently, the proposal would appear as a cramped and linear form of development on the slim 'L' shaped site that would be dominated by cars. This arrangement would be exacerbated by the proximity of the parking spaces associated with the neighbouring residential care home. Moreover, the parking spaces to the front of the site would be highly visible to those accessing the site or travelling along Dappers Lane. Indeed, the 20-dwelling scheme, with its limited open space and extensive parking areas, would erode the soft transition into the fields and the more rural areas beyond. This would harm the character and appearance of the area.
12. I conclude therefore, in respect of the character and appearance of the area, that the proposal would not meet the aims of Policies OSR DM1, D DM1 and QE SP1 of the Arun Local Plan (2018 (ALP), which says that development should reflect or improve upon the character of the site and the surrounding area.

Living conditions

13. There are a number of public open spaces in the settlement of Angmering, including play and sports pitches and woodland walks. However, even if the future occupiers of the proposed development made best use of the public open spaces in the wider area, the limited open spaces and hard surfaces of the car dominated site would reduce the immediate outdoor leisure opportunities of the new occupiers. This would be particularly the case for families with young children who may prefer to stay nearer to home but want to experience a larger and more natural environment than a confined residential garden.
14. In addition, while disabled car parking spaces could be marked out in the proposed communal parking areas or elsewhere on the site, not only would this add to the unwelcoming hard surfaces of the development, but likely to be inconvenient for those with disabilities/mobility issues, particularly at times when the weather is inclement.
15. Accordingly, in respect of the living conditions of future occupiers, the proposal would be contrary to Policies D DM1, QE SP1, and T SP1 of the ALP and Policies TM2, HD5 and HD6 of the Angmering Neighbourhood Plan, as supported by Part I of the Arun Design Guide, which are clear that it should be ensured that development does not have a significantly negative impact upon residential amenity.

Planning Balance

16. The Council cannot demonstrate a 5 Year Housing Land Supply (HLS) but argue that, as the scheme relates to an application for reserved matters, the 'tilted balance' in this case is not engaged. However, the appellant has brought to my attention that the reserved matters approval is an intrinsic part of the 'planning permission' along with the outline consent, particularly as the scheme before me is one relevant to the provision of housing. I concur therefore, that the 'tilted balanced' is engaged. The Framework is clear in such cases that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
17. The proposal would deliver 20 new dwellings, including 30% affordable homes and six Part M4 (2) homes, which are likely to be delivered in a relatively short period of time, and thereby make a modest contribution to the Council's HLS. Other economic and social benefits would include employment opportunities connected to the construction of the new homes and the patronage of local services by the new occupiers. I afford these benefits moderate weight even though the employment opportunities associated with the construction of the homes are likely to be short-term.
18. There would be new open space including landscaping, planting of new trees and enhanced biodiversity. Some of these environmental benefits are standard Council policy requirements. Therefore, I attribute these matters limited weight.
19. Overall, even in combination, these matters do not outweigh the substantial harm I have found above to the character and appearance of the area and the living conditions of future occupiers. Therefore, there is no clear and convincing justification for allowing the appeal.

Conclusions

20. The proposal would harm the character and appearance of the area and the living conditions of future occupiers, and as there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with the development plan and the Framework, I conclude that the appeal should be dismissed.

J E Jolly

INSPECTOR