

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: AL/123/25/HH

LOCATION: Meadowsley  
Westergate Street  
Westergate  
PO20 3QS

PROPOSAL: Boundary wall with vehicle access gate and pedestrian access gate.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION As above.

<b>RELEVANT SITE HISTORY</b>
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AL/80/18/HH	Increase height of roof on extension & external parapet wall with 4 No. additional rooflights(amendment to AL/4/17/HH).	ApproveConditionally 20-09-18
AL/4/17/HH	Single storey rear extension & covered patio area.	ApproveConditionally 27-03-17
AL/65/14/HH	Extension to existing garage in rear garden	ApproveConditionally 17-10-14

<b>REPRESENTATIONS</b>
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Aldingbourne Parish Council - Objection on the basis of:

- Conflicts with EH6 of the Aldingbourne Neighbourhood Plan, development that results in loss of hedgerows will be resisted.

No representation received from nearby occupiers

<b>CONSULTATIONS</b>
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**CONSULTATION RESPONSES RECEIVED:**

Drainage Engineers - No response received.

Highways Authority - No objection.

From inspection of the plans, the proposed wall and gates are sufficiently set back enough for a car to be fully removed from the carriageway whilst the gates are in operation. In addition, the proposed wall and gates do not appear to obstruct vehicle/pedestrian visibility for those using the existing access point. As such, no highway safety concern would be raised.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

## POLICY CONTEXT

Prone to Groundwater Flooding.  
Lidsey Treatment Catchment Area.

### DEVELOPMENT PLAN POLICIES

#### [Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

TSP1 T SP1 Transport and Development

[Aldingbourne Neighbourhood Plan 2019-31 Policy EE6](#) Sustainable recreational and tourism activities

### PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

### SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

## CONCLUSIONS

### DESIGN AND VISUAL AMENITY

The site is a detached single storey dwelling along Westergate Street, an A-classified road subject to a speed restriction of 30 mph. This application seeks planning permission for the construction of a boundary wall with vehicle access gate and pedestrian access gate.

The proposal would result in the removal of the existing Leylandii hedge along the east side of the application site. This is contrary to policy EH6 of the Aldingbourne Neighbourhood Plan; protection of trees and hedgerows, however the applicant intends to maintain low level planting along this boundary.

Following the removal of the existing hedge, a new fence and pillar boundary wall is proposed. Concrete pillars would have a maximum height of 2m, and the timber fencing a height of 1.8m, the gate would be 1.8m high and 4.3m wide. The proposed boundary treatment would extend the full width of the principal elevation, set back at least 1.8m from the footpath and would extend into the plot by approximately 5m on either side. The existing north and south boundary of the application site is an approximately 1.8m timber close board fence, and there are several further examples of fenced boundaries and brick walling within the street scene, within close proximity to the application site and therefore the proposal is in keeping with the established character of the locality in accordance with policy D DM1 of the Arun Local

Plan (ALP).

Whilst it is acknowledged that the proposal would result in the loss of the existing hedging along the front boundary, given that some planting to the front of the proposed boundary treatment would be retained, and given the presence of similar boundary treatment within close proximity to the application site, the proposal would not result in demonstrable harm to the visual amenity of the host dwelling or street scene, and the proposal is acceptable in accordance with Arun Local Plan policy D DM1.

**RESIDENTIAL AMENITY**

Due to the nature of the development, the proposal would not give rise to any adverse impacts upon neighbouring amenity in terms of overlooking, overbearing or overshadowing effects in accordance with policy D DM1 of the ALP.

**HIGHWAYS**

WSCC Highways have confirmed that the wall and gates are sufficiently set back enough for a car to be fully removed from the carriageway whilst the gates are in operation. The proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

The proposed development is in accordance with Arun Local Plan policy T SP1.

**SUMMARY**

The proposed development is in accordance with relevant development plan policies and as such is recommended for approval subject to the following conditions.

**HUMAN RIGHTS ACT**

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

**DUTY UNDER THE EQUALITIES ACT 2010**

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.

**CIL DETAILS**

This application is not CIL liable.

**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:

Block and Location Plan  
Proposed Elevation South  
Proposed Plan  
Proposed Elevation View From Road

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and T SP1.

3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.