

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

REF NO: AL/97/19/HH

LOCATION: Mrs T
Nyton Road
Westergate
PO20 3UN

PROPOSAL: New wooden 5-bar gate and support posts and gate to rear.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The application seeks consent for the a wooden gate which sits to the front side of the property and double gates and slide screen to the rear of the property.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No response for Parish Council.

1 letter of support from a nearby occupier

- I would like the gates to remain as it is security for my property also.
- The gates can barely be seen from the road and give the appearance of the countryside.

CONSULTATIONS

Natural England

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

Resist development outside

Aldingbourne Neighbourhood Plan 2016 POLICY EH8

Buildings and Structures of character

Aldingbourne Neighbourhood Plan 2016 POLICY H1

New housing or altering dwellings

Quality of Design

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1, D DM4 and HER DM1 of the Arun Local Plan. Aldingbourne has a made Neighbourhood Plan with policy H1 and EH1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The application proposes two sets of gates. Double gates and a slide screen is located to the rear of the property and as such is not visible from the wider area. The 2nd gate is located to the eastern side of the dwelling and is visible from the street scene, however is set back approximately 10.5m from the front boundary.

The gate to the front has a width of approximately 4m and attaches to neighbouring property to the east which is Grade II Listed.

It is a 5 bar gate to a height of approximately 1.2m with 1.5m posts either side. With it set back from the street scene at a modest height, it is not considered to appear unduly dominant or out of character. Due to the design and size of the gates, they are not considered to adversely impact upon the visual appearance of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

LISTED BUILDING

Whilst the property itself is not listed, it adjoins a listed building (Rose Cottage). The gate is simple in appearance and as a result of its design is considered to reflect the rural character of the listed building. Para 190 of the NPPF requires the LPA to consider to significance of the impact upon the heritage asset. As a result of the scale and design, it is not considered to harm the significance of the listed building and accord with HER DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The 5 bar gate which fronts the road is around 1.2m in height and due to its siting at the side of the property does not adversely impact upon neighbouring amenity by way of overbearing, overshadowing or overlooking.

The fence and slide screen to the rear is approximately 1.8m in height and has a total width of 6.65m meeting with the rear boundary. A fence of this height would normally fall under permitted development, however rights have been removed due to it falling within the curtilage within the listed building. Again due

to the siting of the fence, it is sufficient distance away from both neighbouring properties and is not considered to result in adverse impacts.

The development is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 approved shall be carried out in accordance with the following approved plans
 - Location and Block Plan - Rev A
 - Ground Floor Plan - Rev A
 - Front Elevation - Rev A
 - Side Elevation - Rev A

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.

- 2 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.