

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

REF NO: AW/352/18/HH

LOCATION: 36 Gossamer Lane  
Aldwick  
PO21 3BY

PROPOSAL: Removal of shrubbery (15' high x 20' deep) at front of property and erection of boundary wall to replace (Retrospective)

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | The application seeks retrospective permission for the erection of a boundary wall to the front elevation of the property. |
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| <b>RELEVANT SITE HISTORY</b> |
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| AW/350/17/CLP | Lawful development certificate for the proposed removal of existing PVCu roof, raise part of existing walling & glaze between, new tiled pitched roof with lantern light on rear conservatory. | PP Not Required<br>08-03-18      |
| AW/70/00/     | Demolition of single storey building containing a bedroom and addition to provide two bedrooms and bathroom                                                                                    | ApproveConditionally<br>08-05-00 |

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| <b>REPRESENTATIONS</b> |
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**REPRESENTATIONS RECEIVED:**

Aldwick Parish Council

Aldwick Parish Council object to the application.

- The proposed alteration does not sympathetically relate to and is not visually integrated with the existing building in massing, design, form, scale and materials
- The alteration is not visually subservient to the main building
- It does not provide a high standard of amenity.
- The proposed alteration has an adverse overshadowing, overlooking, overbearing effect on neighbouring properties.
- Compromises the established spatial character and pattern of the place.
- It is in conflict with the established front boundaries of the area and existing walls trees and hedges should be retained.

3 letters of objection from nearby occupiers

- The wall is far to large and not in keeping with the surrounding properties on Gossamer Lane.
- Its a shame the wall is so big and white.
- I feel it will damage the value of my property.
- The size is far higher than anything in the area.
- It should be built in brick rather than white.

Comments noted and addressed in conclusion. Property value is not a planning consideration.

## CONSULTATIONS

Natural England

## CONSULTATION RESPONSES RECEIVED:

None

## POLICY CONTEXT

Designation applicable to site:

Built up area boundary

## DEVELOPMENT PLAN POLICES

|       |                                          |
|-------|------------------------------------------|
| SDSP2 | SD SP2 Built-up Area Boundary            |
| DDM1  | D DM1 Aspects of form and design quality |
| DSP1  | D SP1 Design                             |

## PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

## SUPPLEMENTARY POLICY GUIDANCE:

|       |                                 |
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| SPD10 | Aldwick Parish Design Statement |
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## CONCLUSIONS

### PRINCIPLE

The proposed development is located within the built up area boundary where the principle of development is considered acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 of the Arun Local Plan.

Aldwick does not have a 'made' Neighbourhood Plan however does have a Parish Design Statement which is of relevance to the application. The property falls within Area 6.

The site is occupied by a detached two storey dwelling with a detached garage. This is a retrospective application as the wall has already been erected.

### DESIGN AND VISUAL AMENITY

The proposed wall is situated to the front boundary of the property and is therefore highly visible from the street scene.

The proposed wall is constructed of concrete blocks which have been rendered and painted white. The wall has a minimum height of 990mm and 6 pillars which are just over 2m. The wall spans 12m across the southern elevation of the property.

Within the locality there are a variety of boundary treatments present. There are examples of boundary treatment above 1m however they are all similar in appearance consisting of reddish/brown brick and fencing or hedging which cannot be controlled. The proposal as a result of its design and scale appears unsympathetic and appears out of character with the surrounding area and existing front boundaries. As a result of this it appears as a prominent feature and as such is unduly dominant on the frontage of the property adjacent to the highway.

The Aldwick Parish Design Statement states front boundaries should contribute to the overall street scene however this is not achieved as due to its size and appearance it is considered to stand out as an alien feature.

Due to the size and appearance of the wall it is considered to negatively impact upon the spatial pattern of the street scene and as a result would be harmful to the character and appearance of the wider area and is in conflict with DDM1 (1) of the Arun Local Plan.

#### **RESIDENTIAL AMENITY**

The application is not considered to give rise to any adverse harm upon residential amenity of adjoining occupiers due to its location at the southern boundary.

#### **SUMMARY**

The application is deemed to conflict with relevant development plan policies and as such is recommended for refusal.

#### **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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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****REFUSE**

- 1 The proposed wall to the southern boundary of the property by virtue of its height and design would appear as an unduly dominant feature and would have an unacceptable adverse impact on the character and appearance of the street scene and wider area in conflict with policy DDM1 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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.