

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

REF NO: AW/59/20/HH

LOCATION: 26 Barrack Lane
Aldwick
PO21 4DA

PROPOSAL: Application to replace existing timber fence to front boundary with a new brick wall
(This application may affect the setting of a listed building).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a brick wall in replacement of an existing timber fence.
----------------------------	---

RELEVANT SITE HISTORY

AW/258/19/HH	2 storey extension to provide sunroom/study, dressing room and en suite bathroom. This application may affect the setting of a Listed Building.	ApproveConditionally 13-11-19
AW/155/07/	Two storey extension to provide sunroom/ study, dressing room and en suite bathroom.	ApproveConditionally 20-07-07
AW/115/10/	Renewal of unimplemented planning permission ref: AW/155/07/ for a two storey extension to provide sunroom/study, dressing room and en suite bathroom	ApproveConditionally 04-08-10

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

No Objection - it should be conditioned to ensure materials are as shown on the plan as not to affect the neighbouring listed building.

No representation received from nearby occupiers.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 of the Arun Local Plan. Aldwick does not have a Neighbourhood Plan but does have a Parish Design Statement with the property located in Area 3.

DESIGN AND VISUAL AMENITY

The property is situated in Barrack Lane and is visible from the street scene, however the host dwelling is just off the main road and has limited passing traffic.

Currently there is an existing timber fence to a height of approximately 1.8m in height. This appears to have been in situ for a while as vegetation has grown over it. This runs along the full southern elevation which fronts the property. The proposal seeks to replace this with a brick wall of 1.8m height which consists of red brick and flint blocks.

The surrounding area consists largely of hedging and open boundaries. There is a brick wall opposite the host dwelling, although it is of a lower height than that proposed and has sufficient planting surrounding to soften its appearance in the street scene.

The alteration to the boundary treatment is considered to appear more dominant upon the street scene however due to its design with the use of flint blocks it is considered sympathetic in appearance to the surrounding area and therefore not considered to give rise to significant impact upon the street scene.

There will also be an increase in the parking area to the front of the property. There is a currently a detached garage with a paved driveway to the front. This will increase in width by approximately 2.5-3.5m. With a paved parking area already in existence the alteration appears minor and is not deemed to result in an adverse impact upon the street scene.

The development is not considered to significantly impact upon the spatial pattern or character of the area and accord with D DM1 of the Arun Local Plan.

SETTING OF LISTED BUILDING

To the west of the host dwelling, there is Grade II Listed Building.

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. There is a large amount of modern development around the cottage, which has had an impact upon its setting. The design of the wall is considered sympathetic in appearance to the area, with the use of flint blocks and as a result of the siting, is considered to have a limited impact on the significance of the heritage assets and results in no harm.

RESIDENTIAL AMENITY

Due to the type of development situated to the front boundary of the property, it is not considered to result in harm upon neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan 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 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
- Wall Details - IBA/533/03
 - Proposed Plans - IBA/533/02
 - Location and Block Plan - IBA/533/01

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 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.