

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

REF NO: BE/1/18/HH

LOCATION: 8 & 9 Addison Way
Bersted
PO22 9HY

PROPOSAL: Wrought iron effect railings & revised entrance access gates.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed railings and gate measure approximately 1.2m high and wrap around the front and side of the property. The gates and piers would be 4.8m wide and 2.2m high. The railings and gates are erected and as such the application is retrospective. Materials would be wrought iron and the gates would be wood with brick piers.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundary comprises part wrought iron railings and part timber fence approximately 2m high. There are also wooden timber gates approximately 2m high.
SITE CHARACTERISTICS	The application site comprises primarily a two storey semi detached property on a corner plot. The application includes a small part of the frontage of the adjoining property.
CHARACTER OF LOCALITY	Residential property comprising two storey properties, some have front boundary enclosures including wooden fences and others are open plan.

RELEVANT SITE HISTORY

BE/90/03/	Detached garage with slightly steeper pitch to roof (Re-submission following BE/48/03)	ApproveConditionally 24-10-03
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BE/48/03/

Detached garage

ApproveConditionally
25-07-03

BE/85/98/

Proposed new bedroom 4 and en-suite bathroom. Rear conservatory to ground floor.

ApproveConditionally
11-01-99

There is no relevant planning history.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council has no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

Open plan condition

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality

D SP1 Design

[Bersted Neighbourhood Plan 2014 Policy ES1](#)

Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. A consultation on the proposed modifications ended in mid February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application site is situated within the built up area and within established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The application site comprises a corner plot on Addison Way. The application site also comprises a small triangular piece of land in front of No.9, this would provide access to the garage at No.8. Appropriate notice has been served on the occupiers and certificate B submitted. The application is retrospective and the railings and gates are in place. Whilst the railings form an enclosure to the more open frontage their design still allows the property to have an open feel to the frontage. The wooden gates only cover a small amount of frontage. Therefore, it is not considered that the proposed development would be harmful to the character and appearance of the wider area or host property.

Give the height of the gates and fence it is not considered that the proposed development will be harmful to the residential amenity of adjoining occupiers.

There are no parking issues related to the development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers. The proposed development would therefore comply with planning policies in the Arun Local Plan 2003 and the Bersted Neighbourhood Plan.

Therefore, the application is recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

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 .site plan and location plan Rev B, existing ground floor plan Rev A, existing elevations, proposed ground floor plan Rev A & proposed elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District 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.