

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

REF NO: CM/40/18/HH

LOCATION: Church House
Church Lane
Littlehampton
BN17 5RB

PROPOSAL: Erection of a gate and fence to property to replace existing. This application affects the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a gate and fence to the front boundary of the host dwelling.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Climping Parish Council

Parish Council - No objection.

1 letter of support:

- Acts as an acoustic barrier.
- Traditional design and in keeping with the local area.
- Similar examples in the locality.

CONSULTATIONS

Historic England

CONSULTATION RESPONSES RECEIVED:

No formal consultations. A discussion was had with the Council's Conservation Officer who raised no objection, subject to the submission of further details relating to the brick and bond of the pillars.

POLICY CONTEXTDesignation applicable to site:
Outside built up area boundary
Grade II Listed Building**DEVELOPMENT PLAN POLICES**[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside

HERDM1	HER DM1 Listed Buildings
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE -

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for the erection of a gate and fence within the plot of an existing dwellinghouse. Policy C SP1 states that 'Outside the Built-Up Area Boundaries (as identified on the Policies Maps) land will be defined as countryside and will be recognised for its intrinsic character and beauty.' Due to the sites location outside of the BUAB development in this location would be in conflict with locational requirements of policy C SP1 of the Arun Local Plan 2011 - 2031. However, it is considered that there are material considerations that allow the proposed development to be acceptable, in this instance, the proposed development is in accordance with HER DM1 and D DM1 of the Arun Local Plan.

Policy C SP1 of the Arun Local Plan states that land outside of the Built-up boundaries will be defined as countryside, and recognised for its intrinsic character of beauty. There are then six caveats which allow development to be permitted. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings.

DESIGN AND VISUAL AMENITY

Although the proposed fencing and gates would be prominently located on the site frontage, given their design and materials they would appear in keeping with the street scene, and appear subservient and sympathetic to the host dwelling.

The proposed development is considered to be in accordance with D DM1, D DM4(a), (b) and HER DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

Resultant of the height, siting and design of the proposal, there is not considered to be any significant impact on the residential amenities of neighbouring properties.

Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) 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.

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.

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 Plan
- Proposed Front View - 10/01/2019

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for bricks and the bond of the proposed pillars have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the

interests of amenity and character and appearance of the Listed Building by endeavouring to achieve a proposal of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 **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.