

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

REF NO: EP/70/18/HH

LOCATION: Preston House
Seafield Road
East Preston
BN16 1NA

PROPOSAL: Erection of 1.82m brick wall to replace existing hedge along site northern boundary, with vehicular & pedestrian access points

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect 1.82m brick wall along the front of the property in replacement of an existing hedge.

RELEVANT SITE HISTORY

EP/73/95	New house and attached garage	ApproveConditionally 15-02-96
EP/9/95	Amendments to Outline Planning Permission EP/39/94 - alterations to access and eastern boundary for single detached dwelling.	ApproveConditionally 06-04-95
EP/39/94	Outline Application for single detached dwelling house	ApproveConditionally 02-09-94

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council

Parish Council provided an objection on the grounds that the removal of the hedge would be contrary to the Area of Special Character. Retention of hedges is part of Area1 and therefore this would be contrary to this. A much lower wall with hedging behind would be acceptable.

1 letter of objection on behalf of the East Preston and Kingston Preservation Society

- The hedge makes a major contribution to the present character of the road.
- The wall would alter the appearance of the road and weaken the designation of the Area of Special

Character.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Area of Special Character

Built up Area Boundary

DEVELOPMENT PLAN POLICES

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

GEN2 Built-up Area Boundary

GEN7 The Form of New Development

AREA1 Areas of Special Character

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

SD SP2 Built-Up Area Boundary

D DM1 Aspects of Form and Design Quality

D SP1 Design

HER DM4 Areas of Special Character

[East Preston Neighbourhood Plan 2014 Policy 1](#) Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 2 Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The site is located within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are GEN7 and AREA1 of the Arun District Local Plan and Policy 1 and 2 of the East Preston Neighbourhood Plan, policies DDM1 and HERDM4 of the very advanced emerging local plan and the National Planning Policy Framework. These policies are designed to prevent development which is not in keeping and have an unacceptable impact on the character and appearance of an area by way of design and use of materials. Their aim is to also prevent development from having an unneighbourly and unacceptable effect on the residential amenities of neighbouring properties

DESIGN AND VISUAL AMENITY

The application site is occupied by a large detached dwelling on a private road. The property is located within an Area of Special Character. The application seeks to remove the existing hedge which runs along the front northern boundary of the property and replace it with a 1.82m high brick wall. The wall is therefore highly visible within the street scene.

The proposed brick wall will be constructed to a height of 1.82m with materials of facing brick and light

grey capping stones. The proposed wall by virtue of its location will alter the appearance of the street scene. However adjacent neighbouring properties at Longwall House and Seafeld have brick walls to a similar height as proposed. The property opposite also has a brick wall to the front elevation albeit slightly smaller. As a result whilst there will be an impact on the character and appearance of the area the proposal is not wholly out of keeping with what already exist in terms of boundary screening in the immediate locality and therefore accords with policies AREA1 and GEN7 of the Arun District Local Plan and Policy 1 and 2 of the East Preston Neighbourhood Plan and policies DDM1 and HERDM4 of the very advanced emerging local plan.

RESIDENTIAL AMENITY

The proposed wall and gates due its location and size is not considered to be overbearing within the street scene and is not deemed to give rise to any unacceptable harm to the neighbouring residential amenity and therefore accord with policies GEN7 of the Arun District Local Plan and DDM1 of the very advanced emerging local plan .

SUMMARY

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

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 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 - 9180328-RS-GA-01-05 Rev B
- Existing and Proposed Elevations - 9180328-RS-GA-01-02 Rev A
- Existing and Proposed Isometric Plan - 9180328-RS-GA-01-03 Rev A
- Existing and Proposed Site Plan - 9180328-RS-GA-01-001 Rev A
- Additional Perspectives View Plan - 9180328-RS-GA-01-04 Rev A

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.

- 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.