

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

REF NO: K/18/18/HH

LOCATION: Kingston Manor
Kingston Lane
Kingston
BN16 1RR

PROPOSAL: Extension of existing gate walls to include an additional pier & flint work on both sides of the gate entrance in place of the existing wooden panel fencing. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. The new sections of walling would be constructed of reclaimed flint to match the existing wall adjacent to the entrance gates and would be constructed to the same height as the existing (approx 1.8m high). The new walling would replace wooden panel fencing

RELEVANT SITE HISTORY

K/25/03/L	Application for Listed Building Consent for formation of new entrance gates and piers with associated driveway, boundary fence and landscaping. Closure of existing entrance and removal of gates, driveway and piers. e- instatement of boundary fence and landscaping.	ApproveConditionally 05-11-03
K/24/03/	Formation of new entrance gates and piers with associated driveway, boundary fence and landscaping.Closure of existing entrance and removal of gates, driveway and piers. Re-instatement of boundary fence and landscaping.	ApproveConditionally 05-11-03

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council
No Objection

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Grade II Listed Building

Within Strategic Gap/ Settlement Gap

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

SDSP1 SD SP1 Sustainable Development

SDSP2 SD SP2 Built-up Area Boundary

SDSP3 SD SP3 Gaps Between Settlements

QESP1 QE SP1 Quality of the Environment

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

[Kingston Neighbourhood Plan 2014 Policy KPNP1](#)

The Presumption in Favour of Sustainable Development

Kingston Neighbourhood Plan 2014 Policy KPNP7

DESIGN & DEVELOPMENT

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

The proposed works would affect part of the curtilage boundary to, the listed property. However the entrance gates, piers and walling are located some distance from the listed building, and are modern construction, having been granted permission in 2003. The Council's Conservation considers that the scale and nature of the works are such that they will have a neutral impact upon the listed building. As a consequence, they are supported in accordance with policies HER SP1: The Historic Environment and HER DM1: Listed Buildings, of the adopted Arun Local Plan (2011-31) and KPNP 7 of Kingston Neighbourhood Plan which requires preservation of the special architectural and historic interest of the listed building and its setting.

The increased length of walling would be minimal in relation to overall length of the existing walling and its appearance would match the existing in terms of materials and dimensions and would be more attractive than the close boarded fencing it replaces. Since the proposal constitutes replacement boundary screening there would be no adverse impact on the rural appearance of the area generally or the character and integrity of the Gap. The proposal would be well assimilated into the existing boundary

screening and therefore accords with policies SDSP3, CSP1, DDM1 and DSP1 of the Arun Local Plan. The frontage of the site would not be altered to the detriment of the street scene and the proposal therefore accords with policy KPNP of Kingston Neighbourhood Plan.

The walling and piers would have no impact on residential amenity.

The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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:
Site and Location AE KL-KM C03 and Proposed Entrance Gates & Piers & Elevations EA KL-KM C0 1 rev C.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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.