

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

REF NO: M/144/18/HH

LOCATION: The Manor House
1 Sea Lane
Middleton-On-Sea
PO22 7RH

PROPOSAL: Alterations to part of existing boundary wall fronting Sea Lane to raise the height.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to alter the existing Western aspect of the boundary wall bordering the property. This involves a 0.7m increase in height.
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RELEVANT SITE HISTORY

M/145/18/L	Listed building consent for alterations to part (7.5 metre length) of the existing boundary wall fronting Sea Lane to raise the height.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

The proposal affects a stretch of flint walling within the curtilage of the Manor House. It appears to be directly attached to the barn structure which has consent to be converted to an annex. The wall is located some distance from the main listed building, and therefore does not play a role in defining the significance of the Manor. However, it is visible from the public carriageway, and therefore could potentially affect the established character of the local area.

This section of the lane is semi-rural in character with flint and brick being two of the predominant materials. I note that the application is to raise the height of the walling using bricks, as opposed to a mixture of flints and bricks. This is apparent in the annex structure where a section of the walling is constructed using bricks only. This is supplemented by the fact that the lower courses of the existing wall

appear to be constructed from brick. As a consequence, it is considered that the proposal will have a neutral impact subject to the quality of the bricks, bond and mortar to be used. These would need to be conditioned as part of any approval.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Listed building

DEVELOPMENT PLAN POLICES

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policy is deemed to be D DM1 of the Arun Local Plan. Additionally,

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

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.

DESIGN AND VISUAL AMENITY

As a result of the siting of the proposed development, it is highly visible within the street scene. The wall is to be constructed to a height of 2.2m consisting of brick and flint. Due to its height and design it is considered to appear sympathetic and with a variety of boundary treatments in the surrounding area, it is not considered out of character. The proposed wall by virtue of its modest size and design is not considered to have an unacceptably adverse impact upon the spatial pattern or character of the area and is therefore in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed wall due to its modest height is not considered to appear overbearing upon the neighbouring properties. Due to the siting at the Western boundary of the property it is also not considered to give rise to any overshadowing and accord with DDM1 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 - 13/11/2018
- Proposed Ground Floor Plan - 13/11/2018
- Proposed Elevations - 07/11/2018 - Rev. A
- Proposed Section - 13/11/2018

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.