

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

REF NO: WA/26/26/HH

LOCATION: Myrtle Cottage  
The Street  
Walberton  
BN18 0PJ

PROPOSAL: Removal of existing boundary wall damaged by large adjacent tree, and reconstruction of retaining wall on correct alignment (removal of the tree is the subject of a separate application). (This application may affect the character and appearance of the Walberton Village Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

|            |                                              |                                  |
|------------|----------------------------------------------|----------------------------------|
| WA/25/26/T | Fell 1 No. Corsican Pine (Pinus Nigra) (T1). | ApproveConditionally<br>19-05-26 |
|------------|----------------------------------------------|----------------------------------|

REPRESENTATIONS

Walberton Parish Council - No response received.

CAAC (Arun Conservation Area Advisory Panel)- No objection.  
Although the loss of the tree is unfortunate, clearly the works are necessary in order to maintain the attractive boundary walling which is an important feature in this part of the conservation area.

It is suggested that where possible, existing flints and bricks be retained for reuse in the construction of the new section of walling. It is recommended that sample panels of plain brickwork, and of a brick and flint combination should be agreed by the Council's Principal Conservation Officer before building works commence.

No representations were received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER  
Myrtle Cottage makes a positive contribution to the special character and significance of the Walberton Village Conservation Area. It is an early C19 property with painted stuccoed elevations and a pitched

slate roof. The principal elevation is arranged with timber casement windows and a centrally positioned doorway, which features a pediment-shaped hood and a door of six fielded panels. These features are representative of the traditional materials and palette which define the conservation area.

As an early C19 building, the cottage reflects the prevailing domestic scale of development within the village, being of two storeys and modest proportions, consistent with the wider pattern of historic buildings. It derives its significance from its architectural and historical interest.

#### Walberton Village Conservation Area

Walberton is essentially a linear village, formed around a principal transport route (The Street), which runs broadly west-east. The majority of buildings follow this linear pattern of development, fronting onto the road.

The conservation area is characterised by a rich palette of traditional building materials, ranging from historic flint to a variety of brick types, with slate roofs and clay tiles predominating. Flint is a particularly prevalent material, used in the construction of houses, outbuildings and boundary treatments, contributing to the strong sense of local distinctiveness.

The conservation area is divided into a number of distinct character areas. Myrtle Cottage lies within the Church Lane character area, which is defined by its quiet, semi-rural qualities, narrow lanes and low density of development. Properties are typically detached and arranged in a loose but coherent pattern, often fronting directly onto the road.

In this context, Myrtle Cottage forms part of a scattered yet cohesive group of historic buildings. Its traditional materials and architectural detailing complement the wider mix of flint and brick structures within the character area, reinforcing the overall sense of place. The presence of boundary treatments and the relationship of the cottage to the lane further contribute to the interconnected pattern of buildings and spaces which define this part of the conservation area.

#### Comments:

The boundary wall runs directly adjacent to the public road and has a strong visual presence. The section of wall affected by the proposals extends along the front (south-west) and side (south) of the cottage.

The wall is curtilage listed and, as such, careful attention is required in respect of materials and construction methods.

Part of the wall is of brick construction, with the remainder formed of coursed flintwork with brick detailing. The heritage statement identifies that the wall functions as a retaining structure, with ground levels within the garden significantly higher than the roadside. However, it does not appear that the wall was originally constructed to serve a retaining function.

A very large, mature pine tree within the garden lies in close proximity to the wall and is causing significant damage. The structural integrity of the wall is therefore at risk, and there is potential for partial collapse if remedial action is not undertaken.

The proposal to dismantle and rebuild an extended section of the wall is therefore understood. It is noted positively that any new structural support would be located below ground and would not be visible upon completion. The rebuilt wall is indicated to broadly replicate the appearance of the existing structure.

The heritage statement advises that flints from the existing wall would be salvaged and reused "where possible". In this regard, it is important that the maximum possible number of flints are retained and

reused within the rebuilt sections, and not replaced unnecessarily with new material.

On this basis, the principle of the works is accepted and can be supported. However, this is subject to conditions requiring further details to ensure an appropriate outcome in heritage terms.

Prior to any demolition, a photographic record of the wall should be undertaken and submitted to the Local Planning Authority. This will provide an accurate reference for the reconstruction.

In addition, details and samples of all replacement materials will be required, together with the construction of two sample panels on site: one demonstrating the brickwork and the other the flintwork with brick detailing. Details of the mortar mix, including its composition, colour, and finish, should also be provided.

Conclusion:

The application is considered to not cause harm to the significance of the heritage assets. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

You will also need to take into account the contents of section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

TREE OFFICER

No response received. However, it is noted that comments were previously provided in relation to application reference WA/25/26/T, which concerned the removal of a TPO tree (TPO/WA/1/91). Those comments have been taken into account in the assessment of this proposal.

OFFICER COMMENT

Comments noted and recommended conditions have been attached to this planning permission as agreed by the agent.

POLICY CONTEXT

Built-Up Area Boundary.  
Walberton Village Conservation Area.  
Grade II Listed Building.  
Within an area with potentially high ground water.  
Lidsey Treatment Catchment Area.  
Lidsey Local Flood Risk Zone.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

|        |                                          |
|--------|------------------------------------------|
| DDM1   | D DM1 Aspects of form and design quality |
| HERDM1 | HER DM1 Listed Buildings                 |
| HERDM3 | HER DM3 Conservation Areas               |
| HERSP1 | HER SP1 The Historic Environment         |
| WDM1   | W DM1 Water supply and quality           |
| WDM3   | W DM3 Sustainable Urban Drainage Systems |

PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

SUPPLEMENTARY POLICY GUIDANCE:

|       |                                               |
|-------|-----------------------------------------------|
| SPD13 | Arun District Design Guide (SPD) January 2021 |
|-------|-----------------------------------------------|

CONCLUSIONS

DESIGN & VISUAL AMENITY

The application site comprises a Grade II Listed detached two storey-dwelling located at Myrtle Cottage, The Street, Walberton.

The proposal seeks planning permission for the removal of the existing damaged flint boundary wall and its subsequent reconstruction.

The existing boundary measures approximately 1.46m in height and is constructed of brickwork and partly coursed flint with brick detailing. It adjoins a section of brick wall measuring approximately 1.32m in height, with an approximate 0.14m change in levels between the brick and flint sections. The current wall is in a state of disrepair and requires remedial works.

The proposal involves rebuilding the wall as a retaining structure at a similar height of approximately 1.43m. The reconstructed wall would be finished in flint to closely match the existing appearance, incorporating new brick quoins to either side of the cracked section and brick banding to reflect the existing detailing. Where possible, existing flint materials would be salvaged and reused in the construction. The western side of the wall would be re-build using brick to match the existing historic bricks as closely as possible.

Given its roadside location, the wall would remain visible within the street scene. The proposed design would closely replicate the existing wall and would be sympathetic to the character and appearance of the host dwelling and the wider area.

The proposed development would not result in harm to the visual amenity of the host dwelling or the surrounding area and the proposal is therefore in accordance with Arun Local Plan (ALP) policy D DM1.

RESIDENTIAL AMENITY

Given the nature and scale of the proposed boundary wall, the development would not result in any adverse impacts to neighbouring residential properties. The wall would replace the existing boundary treatment, and as such would not give rise to any impacts related to overbearing, overshadowing, or overlooking.

The proposal is therefore in accordance with ALP policy D DM1.

HERITAGE

The site is located within the Walberton Village Conservation Area, an area characterised by its linear form along The Street, where properties are predominantly domestic in nature and front directly onto the road and play an important role in the established historic character of the locality.

Paragraph 207 of the NPPF (2024) requires applicants to describe the significance of heritage assets affected by development. The applicant has submitted a Heritage statement, which adequately addresses this requirement.

The Council's Conservation Officer was consulted on this application and raised no objection in principle to the proposed works. It is noted that the existing flint wall forms part of a curtilage listed structure, and therefore its historic fabric should be retained wherever possible. The Conservation Officer advised that the maximum feasible quantity of existing flint should be carefully salvaged and reused within the rebuilt sections of wall, with replacement materials used only where necessary. To ensure that the works preserve the significance of the heritage asset and are undertaken to an appropriate standard, conditions are attached to this permission requiring the submission and approval of sample panels and a photographic record of the existing wall prior to commencement of works.

The proposal would not result in harm to the character or appearance of the conservation area or the setting of the Listed Building and would preserve its significance, in accordance with ALP policies HER DM1 and HER DM3 and the NPPF.

#### TREES

A tree subject to a Tree Preservation Order (TPO) is located adjacent to the existing boundary wall and is considered to be the likely cause of the structural damage to the wall. The removal of this tree was dealt with under a separate application reference WA/25/26/T. The Council's Tree Officer has been consulted on the proposal and has raised no objection to the loss of the tree in this instance.

Whilst the removal of a protected tree is regrettable, the preservation of a recognised heritage asset within a Conservation Area carries significant weight. On balance, it has been agreed that the tree can be removed to enable the reconstruction of the boundary wall, as proposed under this application.

#### DRAINAGE

The application site lies within Lidsey Wastewater Treatment Catchment Area and Lidsey Local Flood Risk Zone, where the management of surface water drainage is an important consideration in reducing flood risk within the locality.

The proposed development relates solely to the reconstruction of an existing boundary wall on a like-for-like basis within its current position. No changes are proposed to the site's existing drainage arrangements and the works would not result in any increase in impermeable surfacing. Given the limited nature of the works, the development would increase the risk of surface water flooding within the site or the surrounding area. The proposal is therefore in accordance with Arun Local Plan policies W DM1 and W DM3.

#### SUMMARY

The proposal is in accordance with the relevant development plan policies. As such, it is recommended for approval subject to the following conditions and informatives.

|                         |
|-------------------------|
| <b>HUMAN RIGHTS ACT</b> |
|-------------------------|

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.

#### CIL DETAILS

This application is not CIL liable.

#### 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 drawings:

- Proposed Layout 02
- Location and Block Plans 03
- Proposed Plan and Street Elevation 05A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, HER DM1 and HER DM3.

- 3 No demolition or dismantling of the existing boundary wall shall take place until a full photographic record of the wall has been undertaken and submitted to and approved in writing by the Local Planning Authority.

The record shall include:

- General views of the wall in its entirety, including its setting and relationship to the road;
- Elevational photographs of all sections of the wall to be affected by the works;
- Close-up images showing construction details, including bonding patterns, coursing, and the arrangement of brickwork and flintwork;
- Detailed photographs of the flintwork, including size, finish, and laying pattern;
- Details of mortar joints, including joint profile, colour, and texture;
- Any areas of distinct detailing, variation, or historic repair.

The approved record shall be used to inform the reconstruction of the wall.

Reason: To ensure that the character, appearance and historic significance of the curtilage listed structure is properly understood and preserved, in accordance with Arun Local Plan policies HER DM1 and HER DM3 and the NPPF.

- 4 Prior to the commencement of reconstruction works, two sample panels of walling shall be constructed on site and approved in writing by the Local Planning Authority. The panels shall include:
- One panel of brickwork;
  - One panel of flintwork with brick detailing;

Each panel shall demonstrate the proposed materials, bonding, coursing, flint selection and laying, mortar mix/finish and workmanship.

The approved panels shall be retained on site for the duration of the works and shall form the standard for the construction of the wall.

Reason: To ensure a high-quality finish appropriate to the character and appearance of the conservation area and the curtilage listed structure in accordance with Arun Local Plan policies HER DM1 and HER DM3 and the NPPF.

- 5 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the boundary wall from collapse and/or structural damage.

Reason: To preserve the character and appearance of the boundary wall in accordance with Arun Local Plan policies HER DM1, HER DM3 and the NPPF.

- 6 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 7 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.