

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

REF NO: WA/98/18/HH

LOCATION: Gable House
The Street
Walberton
BN18 0PH

PROPOSAL: Extension of existing crossover which may affect the character and appearance of the Walberton Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application proposes to widen the existing vehicle crossover. This will involve the removal of 1m of the flint wall that fronts the boundary and a reduction of height of 1m of the wall from 1100mm to 740mm in order to improve visibility.

RELEVANT SITE HISTORY

WA/65/00/	Proposed two storey extension.	ApproveConditionally 12-12-00
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council
Walberton Parish Council provided no objection to the application.
No representation from nearby occupiers.

CONSULTATIONS

Conservation Officer
Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - Provided no objection to the application.

Drainage - There is no change in impermeable area proposed therefore there are no conditions to request.

Conservation Officer- It is considered that the proposal affects the minimum amount of walling required to access the property safely and can be considered acceptable in this instance. Full comments are available to view online.

WSCC Highways - No response.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area

Lidsey Treatment Catchment

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

SDSP2 SD SP2 Built-up Area Boundary

DSP1 D SP1 Design

HERDM3 HER DM3 Conservation Areas

[Walberton Neighbourhood Plan Policy 2017 VE4](#) Conservation Areas and Areas of Special Character

Walberton Neighbourhood Plan Policy 2017 HP1 Spatial Plan of the Parish

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 of the Arun Local Plan.

Walberton has a 'made' Neighbourhood Plan with policy VE4 of relevance to the application.

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

Policy VE4 of the Walberton Neighbourhood Development plan states that proposals that adversely affect the setting of the two Conservation Areas will not be supported.

DESIGN AND VISUAL AMENITY

The proposal is situated to the front of the dwelling and as such is highly visible from the street scene. The front boundary consist of flint walling and vegetation with an existing crossover at 3m in width with the proposal seeking to widen the existing vehicle crossover. In order to achieve this the flint wall along the southern boundary will be reduced in width by 1m. The initial 1m of the wall to the western side of the entrance will also be reduced in height by approximately 0.3m. The shrub bed behind the wall will also be made smaller however this can be undertaken without consent.

The alterations proposed affect the minimum amount of walling and can be considered acceptable in this instance. As such it is not considered to give rise to a harmful impact upon the Conservation Area and accord with HERDM3 of the Arun Local Plan and VE4 of the Walberton Neighbourhood Plan.

Whilst the proposal alters the appearance of the property and wall within the street scene, the change is minimal with surrounding property frontages of a varied height. It is therefore not considered to give rise any adverse impacts upon the spatial pattern or character of the area and accord with DDM1 and HERDM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed widening of the existing crossover and reduction/shortening of the wall is not considered to give rise to any adverse impacts upon neighbouring amenity by way of overbearing, overshadowing or overlooking and as such accords with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development 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
- Location Plan - 1
 - Block Plan Proposed - 3
 - Site Plan Proposed - 5
 - Site Plan Proposed with vehicle turning circle - 6
 - Diagram Section and Site Photograph - 9
 - Elevations Proposed - 7

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 Reconstruction of the wall subject to collapse should be replicated exactly in terms of details such as coursing and the proportion of flint to mortar. All the existing flints to be removed should be retained for re-use or works of repair. It shall be carried out as far as may be practicable with original materials. Any variation from the original materials must be with the written approval of the Local Planning Authority.

Reasons: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings 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.