Development Control – Delegated Officer Report

Application Number: AWDM/0080/13 **Recommendation – Approve**

Site: **7 Malthouse Close, Sompting, Lancing**

Proposal: **Change of use of amenity land to residential garden and enclosure with new 2 metre high wall.**

Date of site visit: 29th January 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property comprises a two storey end of terrace. The address is Malthouse Close although the property fronts onto West Street to the south. The majority of the cul de sac is characterised by open plan front gardens with few fences or walls. The application site is however unique as it is runs parallel with a public footpath to the west and a porch extension has been added which results in the main entrance to the dwelling being to the side onto the footpath. The rear boundary of the site, garage and vehicular access are from Malthouse Close.

On the opposite side of the footpath to the south is a high level flint wall enclosing the rear gardens of dwellings. Continuing north the walls abutting the footpath reduce in height to 1 metre, enclosing the frontage of dwellings that front onto the footpath.

There is a strip of grass which is to the side and rear of the dwelling which is within the ownership of the applicant however it is not enclosed as the boundary wall (1.8 metres) is set in from the footpath.

Permission is sought to erect a new boundary wall which encloses the grass area to the west side of the dwelling to abut the footpath. The existing wall has decorative features such as the use of flint and brick spaces. The proposed wall is to be built with red multi stock with the use of black ibstock to create variation in design and appearance. Piers are proposed with grey concrete coping.

Representations: No third party representations have been received.

Sompting Parish Council: - The Parish Council considers it represents an unacceptable intrusion into the visual amenity of the neighbourhood and would be detrimental to the street scene since the estate is of an open plan front garden or low height fences.

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 ‘Supplementary Planning Guidance’ comprising: Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’
South East Plan (GOSE 2009): CC1, CC6, BE1
National Planning Policy Framework (CLG 2012)

Planning Assessment

Visual amenity

The main issue in this case is the impact the proposed wall and enclosing of existing grass area will have on the visual amenities of the locality. Consideration has been given to the open plan nature of this cul de sac with the main character of Malthouse Close being dwellings fronting the street with no walls or fences or other means of enclosure between the dwelling and the street scene. As stated above although the address of the application site is Malthouse Close it does not follow this character with it fronting onto West Street with the rear elevation facing onto Malthouse Close with an existing high side and rear boundary wall. Similarly the other dwellings in Malthouse Close which also abut the public footpath have front boundary walls right up to the footpath.

The grassed area to the side of the dwelling will be lost as it will be enclosed within the boundary of the site. It is not considered that the loss of this space will be detrimental to the character and appearance of the locality. The planted and grassed area to the rear of the site which is adjacent to Malthouse Close will remain and it is considered that this has a much greater contribution to the street scene. Being adjacent to the public footpath and set away from the main highways either side the grass strip is not a dominant feature. The loss of this space is considered acceptable on the basis that the proposed wall will be an attractive feature which will create interest when viewed from the public footpath. The use of black ibstock bricks at the foot and top of the wall and piers will provide an attractive feature. The footpath is not overly narrow and the wall will not result in an enclosing impact visually or physically.

Residential amenity

The proposed wall will be visible from the front of the dwellings on the opposite side of the footpath it will also be closer than the existing wall. It is not however considered that the wall will have any adverse impact on the residential amenities of the occupiers of the adjacent dwellings. The dwellings are set back from the footpath with front gardens there will be no loss of light or overbearing impact and the proposed wall will be an attractive feature when viewed from these adjacent dwellings.

Accessibility and parking

The wall and enclosure of land will not have any adverse impact on highway safety and parking. The vehicular access from Malthouse Close will remain unchanged along with access to the adjacent garages.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AH7) or the policies of the South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Standard 3 year time limit
2. The development hereby permitted shall be carried out in accordance with the following approved plans: -
   Location Plan - received 13th February 2013
   Block Plan - received 13th February 2013
   Drawing no. 884-1 - received 13th February 2013
3. The wall detailing including the use of black Ibstock and grey coping shall be carried out in accordance with details as shown on drawing no. 884-1 - received 13th February 2013.

Informatives

1. If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Hannah Barker Date: 18th March 2013

Authorised by: Jo Morin Date: 18 March 2012