Application Number: ADC/0593/08 **Recommendation - APPROVE**

Site: **136 Old Fort Road, Shoreham-by-Sea BN43 5HL**

Proposal: **Front boundary wall and gates (retrospective)**

The Application

The property is a very large detached house on a wide plot backing onto the beach, the former dwelling having undergone complete rebuilding and major enlargement (SU/4/05 and SU/57/06). It has a large front driveway and the main part of the house is set back from the highway by approximately 20 metres.

Permission was refused in June 2008 (ADC/0209/08) for the erection of a front boundary wall with inset railings 1.6 metres high and also solid wooden gates and rendered pillars to a maximum height of 2 metres. The reasons for refusal were: -

> *1.The proposed wall and gates would form an obtrusive and incongruous feature that would be visually out of keeping with the existing built environment, thereby conflicting with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7).*
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> *2. The proposal does not make provision for adequate visibility at the junction of the access with the public highway and would be detrimental to highway safety, contrary to the policy of the West Sussex Structure Plan (DEV4).*

Notwithstanding the refusal, a white-rendered front boundary wall 1.1m high with piers 1.65m high has been erected (with inset railings not yet added). Solid timber gates with a curved open-railed top 1.5m-1.75m high have also been installed, with gate pillars 1.65m high. The pillars are reduced from 1.8m high and the gates from 2m high compared to the plans previously refused. Retrospective permission is now sought but the plans do not show stone spheres recently added on top of the gate pillars and end piers (overall height approx 2m).

Consultations and Representations

West Sussex County Council: No objection, as the gates open inwards and are set back more than 5m from the carriageway edge, enabling a car to pull off the road before opening thegates. Previously advised that the wall should be lowered to 0.6m high either side of the access gates to provide pedestrian visibility but, in view of the low amount of pedestrian movement and the position of the footway on the road edge, no longer considers there is sufficient reason to require this.

Third Parties: No comments received.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): DEV1, DEV4
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AH7

PPS1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Structure Plan policies seek to protect and, where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). DEV4 requires safe access. Local Plan policy AH7 states that extensions and alterations should be of sympathetic design and materials to the dwelling and the area in general.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity

In Old Fort Road, front boundary treatments differ considerably, including some significantly over the 1m 'permitted development' height limit, but those in the vicinity of the site, including the neighbouring properties either side, have relatively modest front walls less than 1 metre in height and have mainly ungated vehicular accesses. Some others further along the road have tall gates but of the open metal railing type.
Most of the walls and piers over 1m high are unauthorised and 'established' by passage of time. The few applications submitted include a retrospective permission for a front wall at No.75a with piers 1.63m high and a wall 1m high with link chain above 1.2m-1.4m high (SU/125/01). At nearby No.81, piers with ornamental dogs (2.1m high) were refused (SU/66/01) and the dogs were subsequently removed leaving the piers 1.5m high. There is a current retrospective application for a screen wall at the front of No.248 Harbour Way, on the inside of the bend to the east of the present site (ADC/0006/09).

There has only been one previous appeal case regarding a front boundary wall in this road. That was in 1997, at its eastern end (No.156), and the Inspector concluded:-

"Whilst the design of this proposal includes sections of wall approximately 1.5m high, it is my opinion that the proposed piers with ornamental globes (stated to be 2.5m high) would dominate the overall height of this scheme; producing therefore a means of enclosure to the front of the appeal dwelling which I consider would appear significantly higher than others found hereabouts. As a consequence I am satisfied that the proposed development would not only appear particularly prominent and obtrusive in this streetscene, but also significantly erode the open and spacious qualities which I consider to be important characteristics of this residential area."

In respect of the present application site, the house on the application site occupies a wider plot than others in the road and is dominant within the streetscene following completion of the major rebuilding and enlargement permitted in 2006. On the side boundaries of the application site are tall walls (2m high on the east side and about 1.8m

on the west side) which fall within the 'permitted development' limit because they do not directly adjoin the highway.

This latest application has made only relatively small changes to address the previous visual reason for refusal. The wall and railings are the same height as previously submitted but the gates and piers are reduced, with open railings in the top section. This is an improvement from the previous scheme but the gates remain predominantly solid. Although there is concern about setting a precedent for further approvals, seen in the context of the tall side boundary walls (up to 2m high) and the large scale of the house itself, it is considered, on balance, that the new front wall and gates do not appear excessively tall in this particular instance.

Stone spheres have recently been added which are not shown on the submitted plans. These create a more imposing appearance but it is doubtful whether they are large enough to create the visually overdominant effect considered unacceptable in the appeal case quoted above.

Highway Safety

WSCC do not object and have now advised that their normal requirement for lowering of walls to 0.6m high either side of the access (to provide 2m by 2m pedestrian visibility splays), whilst desirable, cannot reasonably be insisted upon in this case. There is a very wide highway verge and the siting of the footway is adjacent to the road, not directly in front of the wall. The gates open inwards and are a sufficient distance from the road.

Recommendation

APPROVE for the reason:-

The development does not detract from the local environment or from highway safety. It consequently does not conflict with the policies of the Adur District Local Plan (AG1, AH7) and the West Sussex Structure Plan (DEV1, DEV4)

No conditions

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