Expiry Date – 3/9

Development Control – Delegated Officer Report

Application Number: AWDM/1069/19 Recommendation – Grant

Site: 68 Greentrees Crescent, Sompting

Proposal: Erection of 1.5m close boarded fence (with new planting to provide privacy) and change of use of land to west to garden within domestic curtilage.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 14/6

Site and Surroundings

This application relates to an end of terrace dwelling on the south side of Greentrees Crescent and corner of Grafton Gardens.

Built in the 1960's this estate has open plan front and side gardens protected by condition on the original application (SU/47/64 refers). This property has a relatively large unenclosed side garden with, until recently, a mature tree on it.

The property is not listed and is not in a conservation area.

This application follows refusal earlier this year for a similar development, see below.

Proposal

This application differs from the previous refusal as it encloses less of the side garden. It has been revised since first submitted to set the fence back from the back edge of the side road footpath by 1.6 metres. It is set back from the front wall by 1.8 metres. The fenced proposed now is also less high at 1.5 metres. It is proposed to plant 20 laurel hedge plants outside the fence to eventually screen it from view.

The tree in the side garden shown on the drawing was removed last Friday. It was not a protected tree.

Relevant Planning History

AWDM/0669/19 - Erection of 1.8m close boarded fence and change of use of land to west to garden within domestic curtilage. Refused. 20.6.19

S/47/64 – Outline application for 134 terraced houses, 6 flats and 140 garages. Granted 7.7.64

Consultations

Sompting Parish Council:

> As per the previous application the Council objects on the grounds of setting a precedent and is out of character with the area.

Highways:

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

Proposal Summary
The proposal is for the erection of a fence and change of use of land, it is located on and accessed via Greentrees Crescent which is an unclassified residential Road subject to a 30 mph Speed limit.

Fencing
This application does not propose to alter the existing access or parking arrangements. The western boundary of the site currently consists of a fence and external house wall. The fence is positioned adjacent to the publicly maintained highway. Plans indicate that the proposed fence appears to be following the footway boundary line and does not appear to encroach on the public highway. The Local Highway Authority (LHA) does not anticipate that the erection of a fence in this location will cause a highway safety concern in this location as it is not expected to reduce visibility along the publicly maintained highway.

Change of use
The land in question for the change of use does not benefit from being Publicly Maintained Highway and thus does not need a 'Stopping up Order.' The LHA have no further comments on in regards to this matter.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.'

Council's Tree Officer:

'Looking at the plans I have some concerns regarding the fence post as it is a corner post giving limited flexibility if a major or anchoring root is found. I would agree that the distance from the tree should be 1 metre, as should the planting area for the new trees. However I consider that there needs to be a contingency if tree roots are found, so that the root / roots are not damaged or disturbed.'

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity.

Para 3.23 of adopted Development Management Standard No. 2 States:

'The removal or addition of boundary walls or fences can have a significant effect on the character of an area. In older areas flint walls or wrought iron fences and gates should be retained. In modern, open-plan estates the addition of boundary walls or fences at the front of dwellings can be out of character and may be prevented by either a restrictive covenant or a condition on the planning permission.'

Adopted Local Plan policy 15 states:
'Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

Make a positive contribution to the sense of place, local character and distinctiveness of an area;'

This estate was built in the mid 1960's with the intention that front and side gardens are open plan. A condition of the original approval (S/47/64) precluded their enclosure.

However, many side and front gardens in the vicinity have been enclosed by hedges. This does not need planning permission.

55 Lotts Lane - walled and hedged.
2 Greentrees Close – walled and planted
49 The Deneway – hedged
51 The Deneway – hedged
1 Cokeham Gardens – walled and hedged
15 Cokeham Gardens – walled and hedged
22 Greentrees Crescent – side garden walled behind front building line
24 Greentrees Crescent – side garden walled behind front building line

The fence now proposed is 1.5 metres high and set back from the front of the house by 1.8 metres. It does not extend to the back edge of the side footpath and the revised plan sets it 1.6m back to ensure sufficient room for the 20 laurel hedge the applicant

intends to plant. This will soften the appearance of the fence. It will also leave the front garden fully unenclosed in line with the remainder of the terrace.

Given the number of other gardens enclosed in the area it is considered that this revised proposal will not be harmful to the appearance of the streetscene and would not set a harmful precedent. This revised scheme would not be contrary to policy 15 of the Adur Local Plan or Development Management Standard No. 2.

Recommendation APPROVE subject to the following conditions:

1. Approved Plan
2. 3 years
3. The applicant shall, during the planting season immediately prior to the erection of the approved fence, plant 20 laurel saplings as shown on the approved plan. In the event that any die within five years following such planting, it/they shall be replaced by a similar laurel in a similar position during the next planting season.

   Reason: In the interests of visual amenity and to protect the character of the locality and to comply with policies 15 and 30 of the Adur Local Plan.

Informative

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 any representations? Yes.

Case Officer signed:	MOK	Date: 20.8.19
Authorised and signed by:	Peter Barnett	Date: 20 August 2019