Ex 17/6/09,

Development Control – Delegated Officer Report

Application Number: ADC/0159/09 **Recommendation – Permit Application**

Site: **51 Freshbrook Road Lancing West Sussex BN15 8DF**

Proposal: **Change of use and enclosure of land on north side with 1.2m high feather-edge fencing sited 1m from rear of pavement**

The Application

The site is located within the built up area of Lancing. The site address is Freshbrook Road however the property is set back from the highway located behind No. 52 and 53 Freshbrook Road. There is vehicular access from Freshbrook Road to the property. The application site was originally a 4 bedroom bungalow and work is nearing completion for the enlargement of the building to a chalet bungalow with raised roof and dormers, which was permitted in July 2008 under application reference ADC/0186/08.

To the north of the site is The Paddocks a cul-de-sac which is accessed from Freshbrook Road. This cul-de-sac is made up of mainly semi detached and terraced two storey properties. Parking is provided in two separate garage compounds to the north and east of No. 51 accessed via The Paddocks.

To the south of the site are the pair of semi detached properties mentioned above Nos. 52 and 53 Freshbrook Road, access to these properties is via Freshbrook Road. To the west of the site is a row of properties in the Paddocks. No. 49 detached, Nos. 48 and 47 semi detached and Nos. 46-43 a row of terraced properties.

The site boundary is enclosed by a close boarded fence 1.8 metres in height which is adjacent to the pavement to the north of the bungalow. Retrospective planning permission was sought for the change of use of the land enclosed by the fence to bring it within the curtilage of the property and also for the existing fencing to be moved in from the edge of the pavement by 0.5 metres. This application (ADC/0361/08) was refused for the following reason: -

"The fence, by reason of its height, siting and design, forms an obtrusive and incongruous feature which is visually out of keeping with the character and appearance of the environment and street scene, thereby conflicting with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7)."

The current application seeks permission to reduce the height of the fencing to 1.2 metres in height (from 1.8 metres) and to site it 1 metres from the edge of the pavement (the fencing currently abuts the pavement), feather-edged fencing is proposed.

Consultations and Representations

Local Development: - West Sussex County Council Highways Authority: - The fence encroaches on the publicly maintainable highway, and also encloses highway land. As stated previously, highway land must not be enclosed prior to the successful completion of a Stopping Up Order.

Third Parties: - 1 letter has been received from Mr Green of 46 The Paddocks raising the following issues: -

- The land has been open plan for 40 years as is the rest of The Paddocks.
- This land is essentially 'common land' for all the households in The Paddocks.
- The reduced scheme does not change the principle that a piece of land has been annexed.
- The two trees enclosed in the annex land will be removed.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix II 'Supplementary Planning Guidance Comprising: - Development Control Standard No. 3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Policy AH7 of the Local Plan states that alterations and extensions should be designed to be sympathetic to the original dwelling and the area in general.

Residential Amenity

The fence is located to the north of the bungalow within The Paddocks. The fence as existing is clearly visible when viewed from the front of the adjacent properties, nos. 41-49 The Paddocks. However it is not considered that the fence as existing or reduced as proposed will have any impact with regards to overbearing impact or loss of light to any of the adjacent dwellings.

Visual Amenity

The main issue in this case is the impact of the height and siting of the fence on the visual amenities of the locality. The Paddocks has an open plan character with front lawns with some low level shrubs however there are no examples of fences or walls adjacent to the highway or in excess of 1 metre. To the west of the site there is a low level 1 metre high wall set back from the

highway. The other properties facing onto the site in The Paddocks have open frontages.

The existing 1.8 metre fence is detrimental to the character and appearance of the surrounding locality and street scene. It is however considered that by reducing the height to 1.2 metres and setting it back from the pavement by 1 metre that the prominence of the fence will be reduced to an acceptable degree.

Recommendation

APPROVE for reason that :- 1PPi

1. C1[redacted]

Case Officer.....[redacted].....Date.....10/6/09.....

Planning Services Manager[redacted]...Date.....10/6/09.....

Chair of Planning Committ[redacted]....Date.....15/06/09.....