Expiry Date -

Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0636/12

Site: **10 Finches Close Lancing**

Proposal: **Retrospective application for fencing and gate to western side of No. 10 Finches Close**

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal is close boarded fencing and gate 1.84 metres in height running flush with the front face of No. 10, and vertical slatted fencing 1 metre in height along the west and north boundaries. It has already been erected, so the application is retrospective.

The application site is in an outer residential suburb of Lancing. The immediate close has an open plan character with front gardens unenclosed.

Relevant Planning History
L/63/63
35 terrace house and garages
Approved Conditionally 19.4.63

L/161/63
1 pair of S/D houses
Approved Conditionally 6.8.63

Consultations
Adur & Worthing Councils: The **Environmental Health Officer** *requests precautionary contamination condition*

Representations
One letter of representation received from occupier of No. 1 The Tynings (summarised):

- *Open plan infringement and "blind corner" – potentially dangerous situation with traffic. The issue is that of height and might be appropriate for planning officer to visit site during "rush hour" rather than merely rubber-stamping*
- *Hedge and quarter circle area of stoning and paving to front/west has enhanced appearance of dwelling. In general works were acceptable.*

One letter of objection received from occupier of No. 2 The Tynings (summarised)

- *Proposal totally inappropriate and unnecessary. Area enclosed with 7 foot high fence and gate on south side. This really is enough for anyone's needs – anything else would totally spoil our view. A fence would not be acceptable under any circumstance*

In addition, the application was accompanied by 7 letters of support from residents at 3, 34 The Tynings, 5 Finches Road, 3, 4, 8 Finches Close and from Worthing Homes

Relevant Planning Policies and Guidance

South East Plan (GOSE 2009): BE1, CC1, CC6
Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7

Planning Assessment

Principle

Upgrading of domestic garden space is acceptable in principle

Visual amenity

The junction where the highways of The Tynings and Finches Close meet has an open appearance and spacious character, despite the differing building types surrounding it.

A condition was imposed on the planning approval for the Tynings development which means hard boundary treatment (walls/fences etc) forward of the buildings requires the approval of the local planning authority.

This condition does not "blanket ban" such treatment, which would be acceptable if it did not harm the character and appearance of the area. This is the case with the fencing and gate installed at No. 12 Finches Close.

The stretch of fencing along the west and north boundary is of low height and screened by an existing hedge. The fencing is only visually prominent in the street when viewed north from Finches Close. However much of its 'starkness' is due to its exposed position, and this is only a temporary situation as the applicant intends to plant evergreen shrubs in front of it. Once this grows, it will screen the fencing and gate from view as effectively as the existing hedging. This section of fence is also stained dark brown, which helps it blend with the brown brick, roof tile, and hanging tile of the main house.

Finally, some regard should be given to the family circumstances of the applicant and understanding their need for security and reasonable privacy in their garden (the house does not benefit from a large garden at the rear).

For these reasons the fencing does not appear as an unduly harsh or visually dominant feature is the street, and the pleasant appearance of the area has not been eroded by it.

From the letters of support from neighbours submitted with the application, a substantial number agree with this assessment.

However, without the plant screening, the fencing would form a harsh enclosed 'edge' to the detriment of the character and appearance of the street.

Residential amenity – effect on existing dwellings

The fencing is physically remote from any neighbours, so harm to their living conditions is avoided.

Highway Safety

The fencing is onto a quiet, lightly trafficked, cul-de-sac. As traffic would be entering and exiting the cul-de-sac at the point of passing the fencing at No. 10, the speed of vehicles would slow.

The fence running flush with the main house is set a good distance from the highway, so it is only the section of fencing to the west that marginally restricts vehicle visibility.

The situation is no different than in the past where a taller hedge grew along the west boundary that itself restricted visibility. In fact visibility may well have improved in the mean time as the hedging along this boundary is now lower in height.

Contaminated land

The fence is put already and the ground disturbed, so retrospectively imposing this condition would have no purpose.

Recommendation

APPROVE for the reason:-

Subject to suitable screen planting, the development has taken place without detriment to the local environment and does not detract from the character or appearance of the area or result in detriment to highway safety. It has not resulted in any harm to the amenities of neighbouring properties and consequently does not conflict with Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and the South East Plan (CC1, CC6, BE1).

Subject to Conditions:-

1. Approved plans
2. Existing hedge retained and replaced if lost
3. Within 2 months of permission proposed strip of evergreen shrubs planted out, and retained and replaced if lost

Is recommendation contrary to any representations? Y

Case Officer signed: Matthew Porter Date: 04-07-2012

Authorised and signed by: Peter Barnett Date: 04-07-2012