Expiry 24/4/09

~~PE 26/3/09~~

Development Control – Delegated Officer Report

Application Number: ADC/0070/09 **Recommendation – Refuse Application**

Site: **20 Lewin Close Lancing West Sussex BN15 9HE**

Proposal: **Erection of 1.8m high fencing to enclose area of garden to southside of property**

The Application

The site is located within the built up area of Lancing, an end of terrace two storey dwelling within an estate of similar properties. The dwelling fronts onto Lewin Close to the west with Hayley Road running to the side. As existing there is a low level wall to the front of the property and the general character of the area is open plan with similar low level walls to the front of adjacent dwellings. A rear wall continues in line with the rear of the property enclosing the rear garden. To the side is an open grassed area, which is within the applicant's ownership. Permission is sought to enclose part of this side area up to the pavement with a 1.8 metre close boarded fence leaving small sections of open garden area to the front and rear.

Consultations and Representations

Third Parties: - No third party representations have been received.

Lancing Parish Council: - No comments, other than it might appear unsightly.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): 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

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). Policy AH7 of the Local Plan states that extensions and alterations will be expected to have regard to design and materials which should respect the character of both the original dwelling and the area generally.

Residential Amenity

It is not considered that the proposal will have any adverse impact on the residential amenities of the occupiers of the adjacent dwellings. No. 69 Hayley Road is sited to the east of the proposed fence. The fence is set forward closer to the highway than the front of no. 69 however it is set in at a distance greater than 3 metres from the adjacent property boundary therefore it is not considered that there will be a loss of light or overbearing impact to the front of the adjacent dwelling to warrant a refusal for this reason.

Visual Amenity

The proposed fence will be clearly visible within the street scene, due to the prominence of the site and the general open plan character of the area. The area is characterised by properties with open frontages or low level walls, with wide grass verges.

The properties on the opposite side of Hayley Road to the south, nos. 37, 39 and 83 all have side walls which run parallel to the highway enclosing rear gardens. These walls appear to have been originally constructed with the estate as there are similar examples replicated within the area. The proposed fence is considered to be out of keeping with the character of the locality, a fence of this height and proximity to the highway will result in an alien feature. Despite their proximity to the highway and equal prominence the walls opposite due to their siting, design and use of materials are a more appropriate form of enclosure and do not set a precedent for a proposal of this nature.

Recommendation

REFUSE on ground that :-

1. B5AR – add – AH7 to ADLP.

Case Officer.... [redacted] .....Date...20/3/09

PB 27/3/09