Development Management - Delegated Officer Report

Application Number: AWDM/0479/19 Recommendation – APPROVE

Site: 12 Bowness Avenue, Sompting, Lancing

Proposal: Retention of close boarded fence, chestnut fencing and close boarded gates to boundary (retrospective)

Date of site visit: 13.05.19 (HB) and 2.07.19 (GP)

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal is retrospective, open post and rail fencing 1.5 metres high has been erected to the frontage of the site with planting behind. To the side of the site, adjacent to the pavement is 1.8 metre high close boarded fencing with double gates. Planning consent is required in this case as the means of enclosure is above 1 metre in height adjacent to the highway.

Representations

None received

West Sussex County Council Highways: - We would advise that the gate opens into the property and not onto the publically maintained highway. We would also advise that if they propose to use the access for vehicular movements then they would be required to apply for a Vehicular Cross Over Licence from the Highways Area Office. The Local Highway Authority (LHA) does not consider that this proposal would have 'severe' impact 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.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the

amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The main concern is the visual impact of the existing development and any future precedent that this may set for harmful development. Although this fencing, particularly that to the side which is directly adjacent to the pavement, is dominant, it is considered, on balance, to be acceptable in this case. There is vegetation visible above the side fencing and this is a corner plot therefore such a means of enclosure is required for practical purposes. The open fencing and planting to the front softens the impact of the side fencing. It is not considered that any set in or planting to the front of the side fencing would improve the current situation here; the fence would still have the same impact and is considered less noticeable abutting the pavement in its current simple form.

To the west is an open grassed area ancillary to St Peters Church, therefore as this is not a similar corner plot to the application site there is not concern that a precedent could be set for similar development here and this grassed area contributes positively to the visual appearance of the locality. On balance the retrospective fencing is not harmful to such a degree to warrant refusal of consent and requirement for its removal in this case.

Residential amenity

The fencing as existing does not impact on the residential amenities of the occupiers of any adjacent dwellings.

Highways

West Sussex County Council has advised that there are not highway safety issues here. They advise that the gates should open inwards, it appears that the gates do open inwards and not onto the pavement. There is no evidence that the gates are used for vehicular access however an informative has been added to advise that if this is the case that the applicant should apply for a vehicular access.

Recommendation

APPROVE

Is recommendation contrary to letter(s) of representation? N

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The applicant is advised that the gates should open inwards and should not open onto the highway.

3. The applicant is advised that if the gates are used for vehicular access then they are required to apply to the Highway's Authority for a vehicular access. https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Case Officer: Hannah Barker Date: 9th July 2019

Authorised by: Gary Peck Date: 9 July 2019