Development Management - Delegated Officer Report

Application Number: AWDM/0811/19 Recommendation – APPROVE

Site: 83 Irene Avenue, Lancing, West Sussex

Proposal: Retrospective change of use of amenity land to garden land plus erection of 1.2 metre high picket fence south of 83 Irene Avenue.

Date of site visit: 24th June 2019

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is a semi detached two storey dwelling within a street of similar properties. To the south of the site is a garage block and turning space. Retrospective consent is sought for the change of use of a grassed area to the south of the dwelling house and adjacent to the garage block, to garden space in connection with the application site. The consent also includes the moving of the boundary fence to the south to enclose the land. The works have been carried out and the grassed area is enclosed within the site. At the time of visiting the site a car was parked on the land.

Adur and Worthing Councils: - Environmental Health: - No adverse comment

Adur and Worthing Council's: - Property Management Surveyor: - We've included permitted use as "for use of garden land including the parking of vehicles on the property.", The licensee must also keep the land in good and tidy condition so we should be fine in terms of visual amenity

Lancing Parish Council: - No objection

Representations

None received

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 retrospective consent to include general amenity space to garden area. This change of use 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 grassed area currently enclosed within the property frontage appears within the street scene to be a part of the original property. The fence which has been used to enclose the land is low level and with the low level front wall to the front the land is open. The boundary treatment is therefore not dominant or detrimental to the street scene. The new fence also follows the line of the existing garages representing a natural stop point for the curtilage boundary.

At the time of visiting the site the land remains grassed however a vehicle was parked on part of the land. Property Management at the Council agreed the use of Council land and have a legal agreement with the applicant a 'Garden Licence' which stipulates the requirements of the use of the land. This includes the use of parking of cars on the land however it must remain as grass. This is therefore considered acceptable in terms of visual amenity and planning. It also requires that the land is kept in a good, tidy condition. It is therefore not considered necessary to replicate any such conditions on this planning consent. The requirements of the Garden Licence will ensure visual amenity and character of the locality are safeguarded. Therefore an informative is attached to advise the applicant of the requirement to comply with the Garden Licence.

Residential amenity

The area of land enclosed is adjacent to a communal garage area and not directly adjacent to any neighbours. The land is visible from neighbouring properties opposite the site however there will be no adverse impact as a result of the use of the land.

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 requirements of the Garden Licence dated 21st December 2018 must be complied with at all times.

Case Officer: Hannah Barker Date: 5th July 2019

Authorised by: Peter Barnett Date: 5 July 2019