Expiry Date - 05/09/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0801/24 **Recommendation – REFUSE**

Site: **8 Bruce Way Worthing West Sussex BN11 5JX**

Proposal: **Retrospective application for replacement timber fence (1.8m high) to side/front boundaries and detached shed to front of property.**

Date of site visit: 23/08/24

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located on a corner plot at the junction of Bruce Way, to the south and George V Avenue, to the west, in a residential area of Worthing. The property comprises of a semi-detached two storey house with brick elevations, a tile hung front bay and hipped roof. The property is set back from the road to the front behind a low wall and small front garden and to the side behind a high close board fence. The main garden areas for the property are to the side and to the rear. At the end of the garden is a brick built garage accessed from George V Avenue.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Retrospective planning permission is sought for retention of a fence to the front and side boundaries and shed to the front of the property.

A new 1.8m high close board fence has been erected to the front (south) and side (west) boundaries of the site, adjacent to the pavement. Part of the fence has replaced an existing fence of the same height to the west boundary extending approximately 20m in length to enclose the rear and side garden. The new fencing has been erected, behind the low wall to the remainder of the west boundary for a length of approximately 5m and to the front, for a length of approximately 6m, to enclose the front south-west corner of the site.

A timber shed has also been erected to the south-west corner of the site and measures 3m wide x 3m deep x 2.4m high with a flat roof. The shed is clad in timber with a door and window to the east side and set in approximately 1m from the boundaries.

The above works were completed on 23/01/24.

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Relevant Planning History:

AWDM/1304/23 - Proposed rear single storey extension, alterations to convert garage building into a summer house and rooms in roof consisting of hip to gable, rear dormer and front roof lights - Approved

Consultations:

None received

Representations:

None received

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (DLUHC 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

Policy Context

The National Planning Policy Framework paragraph 131, advises that *'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*. Paragraph 135 indicates that development should: (b) be visually attractive as a result of good architecture and (c) sympathetic to local character and history, including the surrounding built environment, and in paragraph 139 states: '*Development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'*.

Policy DM5 – Quality of the Built Environment, of the Worthing Local Plan requires that; *All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:*

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;

ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;
iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;

The Council's SPG - Extending or altering your home, states that:

If the properties on your street conform to a strict building line, any front extension disrupting this line will probably become obtrusive in the street scene.

The above policies and relevant sections of the Design Guidance, SPG – 'Extending or altering your home' clearly set out the expectations for development and require that development is well designed to reflect the predominant characteristics of the local area and do not adversely affect the appearance of the street scene.

Visual Amenity

The four properties that occupy the corner positions of Bruce Way have high fencing to the length of the side garden but lower fencing or walls to the front corner where it extends forwards of the front elevation of the dwelling and this pattern is repeated for other corner plots in the surrounding area. Front boundary treatments to non-corner plots in the surrounding roads consist of low walls or fencing.

The only property that differs from this pattern is the property opposite the site (south) at No.7. A high fence was erected to the front corner of this property at some point between 2009 and 2011, as noted on Google Earth. There is no record of consent for this. A shed has also been erected to the front corner of the same site at some point between 2019 and 2022, again there is no record of consent for this. These works are therefore unauthorised.

The section of fence that has been erected forwards of the house encloses the property frontage and creates a stark and solid boundary treatment that is out of character with the surrounding street scene. Notwithstanding the unauthorised fencing to No.7 there are no other examples of high boundary treatments to the property frontage in the surrounding area. The fence is extremely prominent in the street scene, due to its height and position at the front of the property and significantly detracts from the character of the area, forming a visually dominant and imposing boundary adjacent to the pavement that represents an alien and intrusive feature in the street scene.

The fence fails to reflect the prevailing character of the area, consisting of low front boundary treatments. Retention of the fencing in this location would cause significant harm to the character and visual amenities of the area having a significant and detrimental impact on the street scene.

It should be noted that there is no objection to the like for like replacement fencing to the west boundary, extending north from the side of the house to the rear garage and that does not extend forward of the house.

The shed constructed in the south-west corner of the site is positioned forward of the principal elevation and beyond the established building line to the property frontages for Bruce Way and George V Avenue. The shed due to its position forward of the building line together with its height, significantly increases its prominence in the street scene. Other than for the unauthorised shed to the property frontage, opposite the site at No.7 there is no similar development to the frontage within the surrounding street scene.

The shed, in its position at the front of the site, fails to respect the prevailing character of the area in terms of its siting or layout and fails to enhance the local environment. The top heavy, box like design and height only serve to exacerbate its uncharacteristic appearance in the street scene and fails to meet the high quality design standards expected of development, particularly in such a prominent position. Retention of the shed in this position would disrupt the rhythm and layout of development in the area having a significant adverse impact on the character of the street scene and the visual amenities of the locality.

It is noted that there is sufficient space for a shed of this size to be positioned within the rear garden of the site and there is no justification for an obtrusive structure in this position at the front of the building.

Residential Amenity

The proposal is not considered to detrimentally affect the residential amenities of adjacent occupiers.

Recommendation

REFUSE for the reason:-

1. Retention of the fence due to its height, appearance and position to the front of the property, results in a dominant and visually intrusive form of development that is out of keeping with the low front boundary treatments characteristic of the street scene and that fails to respect the prevailing character of the area or make a positive contribution to the local environment, resulting in a discordant addition to the street scene that severely detracts from the visual amenities of the locality. The proposal is therefore contrary to Policy DM5 of the Worthing Local Plan, Supplementary Planning Guidance 'Extending or altering your home' and the revised National Planning Policy Framework.

2. Retention of the shed, due to its height, appearance and position forwards of the defined building line disrupts the rhythm and layout of development in the area, resulting in a discordant and visually intrusive addition to the street scene, that fails to reflect the prevailing character

of the area or to enhance the local environment, causing significant harm to the visual amenities of the locality. The proposal is therefore contrary to Policy DM5 of the Worthing Local Plan, Supplementary Planning Guidance 'Extending or altering your home' and the policies of the revised National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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

Case Officer:	Amanda Haslett	Date:	02/09/24
Authorised by:	Jo Morin	Date:	03.09.2024