expires 4/10

Development Control – Delegated Officer Report

Application Number: ADC/0488/07 Recommendation - Permit

Site: 1 Peveril Close Sompting Lancing West Sussex

Proposal: Temporary **Retention of 1.8m high chain link fence on eastern boundary of site for period of 9 months, permanent retention of 1.8m high close boarded fence on southern boundary with partially reduced height and permanent retention of 1.8m high chain-link fence on northern boundary**

The Application

This is a re-submission of a previously refused application (ADC/417/06) for the retention of a boundary fence of 1.8m around the perimeter of 1 Peveril Close. The property is a two-storey end of terrace house on the west side of the road. It is orientated so that the main garden is mainly to the side of the property and fronting Peveril Close, originally behind a 1.0m high chain-link fence.

The subject of the current application is a 1.8m high chain-link fence on the north and east side curtilage; to the south (adjacent to the driveway) is a 1.8m high close boarded fence; all were erected without planning permission.

The applicant seeks to retain the fences for a period of 9 months to enable the laurel hedge already planted to establish itself. After 9 months the applicant proposes to reduce the height of the fence on the east side back to the original height of 1.0m, and reduce the close boarded fence for its first 1.8m down to 1.0m at an angle of 30 degrees. The northern 1.8m high fence is proposed to be retained at its current height.

The previous application was refused for the following reason:

> *The fencing forms an obtrusive and incongruous feature that is harmful to the character of the area and detrimental to the environment, thereby conflicting with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7)*

Consultations and Representations

County Transport Planning Services: Have no objection to the proposal subject to the fence running along the southern boundary and intended to be lowered to 1.0m to be reduced in height to 0.6m maximum height where it meets the back edge of the footway.

Highways comments on the original application (ADC/417/06) for the retention of the whole fence permanently, were no objection. With regards to the visibility the Highways Officer was of the opinion that pedestrian splays would be good, but considering the fence had already been erected and taking into account the amount of manoeuvres, visibility splays would not be required.

Sompting Parish Council: No objection to the retention of the fence whilst the hedge is established but they do object to the retention of the 1.8m high fence and suggest that all fences are reduced to a lower height. The chain-link fence is out of character to the area and is detrimental to the street scene.

Third Parties: There have been no third party representations on this application.

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, AT12.

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 should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general.

Visual amenity
The applicant has requested that the permission be granted temporarily for 9 months to allow for the maturing of the laurel hedge to a height and girth which will prevent their loss through vandalism. The hedge surrounds the garden and when at full maturity will be a feature which will be in-keeping with the surrounding area.

The applicant proposes after the 9 month period to take down the chain-link fence on the east side, reverting to the original 1.0m high fence. The 1.8m high chain-link fence to the north and close boarded fence to the south is requested to be retained with minor amendment. Sompting Parish Council still objects to the retention of the 1.8m high fence on the site and feels that it should be all reduced back to the original height.

Whilst the previous application for permanent retention of the boundary fence was refused on grounds that it was harmful to the character of the area, it is

considered that as the permission for the full height fence would only be for a limited amount of time that the harm would itself only be limited. Therefore it is considered the proposed retention for 9 months would be acceptable. Comments suggesting that the chain-link fence in itself is out of character are considered unwarranted as most properties in the vicinity have chain-link fence albeit 1.0m high.

The applicant has amended the plans to show the east side fence reduced to 1.0m in height and the north and south side fences both reduced in height for the first 2.0m to 1.0m in height and then angling up for one metre to a total height of 1.8m. This reduction is similar to what would usually be allowed under 'permitted development' and is therefore considered acceptable.

Highway safety
Highways have objected to the height of the close boarded fence and request that it be reduced to 0.6m to ensure visibility. As the access is already established and not under consideration and a 1.0m high fence existed prior to the erection of the fence it seems unwarranted to request the fence to be lowered below the level of normal 'permitted development'. It should be noted that these proposed amendments to the retained fence go further to improve visibility than in the original application, to which there were no Highways objection.

Recommendation

APPROVE for reason that :-
1PPii – pl. delete AT12

1. C1Di – amended
   The temporary fence hereby permitted shall be removed and restored to the height of 1 metre as set out on the amended plan (60/07 – 03 Rev A) received on 20.09.07, on or before the expiration of the period ending on 30th June 2008.
   Reason: In the interests of visual amenity having regard to policies AG1 & AH7 of the ADLP & DEV1 of the WSSP & because *permission is not normally granted for such development and is only permitted exceptionally.*

2. C14Ai – amended
   Received on 20.09.07.... AH7 of the ADLP and DEV1 of the WSSP.

Case Officer: [signature] Date: 20/9/07

Planning Services Manager: [signature] Date: 24/9/07

Planning and Regulatory Committee Chairman: [signature] Date: 1/10/07