Development Management - Delegated Officer Report

Application Number: AWDM/0725/14 **Recommendation – Approve**

Site: **35 Test Road, Sompting**
Lancing, West Sussex
BN15 0EL

Proposal: **Retrospective application for close board panelled wood fence on north boundary**

Date of site visit: 10 June 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a semi-detached dwelling on the east side of Test Road. Retrospective permission is sought for the erection of a close board panelled fence on the northern boundary of the property. The fence runs for a length of 13.9 metres. It has 1.8m high posts with curved-top fence panels which drop to 1.6m high. The end panel closest to the pavement drops to 1m high. It has been dark stained.

The original permission for the estate S/110/64 contained a condition preventing the erection of any means of enclosure in front of the dwellings. There are walls and some fences visible in the street, as well as hedges on boundaries.

Relevant site history

As above

Consultations

Sompting Parish Council: Support

Representations

3 letters of objection received:-

- Fence is too high and restricts visibility for drivers exiting driveway of No.35 – could lead to accident/collision with pedestrians
- Out of character with rest of estate
- Harm to outlook from houses to north
- Contrary to deeds restricting erection of fences on estate
- Previous applications for fences have been refused

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 ‘Supplementary Planning Guidance’ comprising: Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’
Assessment of Saved Policies (ADC 2013)
National Planning Policy Framework (CLG 2012)
Planning Practice Guidance (CLG 2014)

Planning Assessment

Principle

The 1964 permission prevented the future erection of any means of enclosure in front of the dwellings on the estate. However, this does not mean that individual applications for fences should be refused without due consideration of their visual impact.

Visual amenity

The fence is positioned on the northern boundary of the application property, separating the property from the two houses to the north. Those dwellings are positioned at right angles to the site and directly face across the front of the site, towards the fence. There is a path and open area of grass between the fence and the front of 31/33Test Road, approximately 8m away.

From the south, the fence has less impact. The applicants have placed planters along the line of the fence which significantly helps to soften it. It is considered that the visual impact of the fence is not harmful and does not compromise the open plan nature of the estate. This is because the fence does not run along the front boundary, thereby maintaining the open frontage. The fence does not divide the semi-detached properties either and, because of the orientation of the dwellings to the north, the impact of the fence is reduced, with the boundary wall along the side of No.31 being more prominent, running along the side of the pavement for 17m.

There are examples of fences elsewhere on the estate, including at No.45 and 64 not far to the south of the site and it is considered that the fence at No.35 is no more intrusive. Future proposals for fences will need to be considered on their own merits and to allow this application will not set a precedent for other fences because of the specific reasons and site characteristics of this case.

Residential amenity

The fence is visible from the front of No.31 & 33 Test Road to the north. However, it is not considered that it results in any significant loss of outlook for those occupiers who will continue to enjoy the open grass area directly in front of their homes. It is considered to be sufficiently distant from the nearest neighbouring properties and of an acceptable height to not result in a loss of amenity.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved plans

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

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.

Case Officer: Peter Barnett Date: 10 July 2014

Authorised by: Gary Peck Date: 15 July 2014