

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: A/71/21/HH

LOCATION: Rond Point
Ham Manor Way
Angmering
BN16 4JQ

PROPOSAL: Erection of new fence adjacent to front boundary.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	New boundary fence measuring 1.5m in height to front boundary.
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RELEVANT SITE HISTORY

A/187/20/CLP	Lawful development certificate for the Proposed use of land adjacent to dwelling for residential garden use.	Approve 12-02-21
A/129/20/NMA	Non material amendment following grant of A/55/19/PL for amendment to siting of proposed house on block plan to match position on approved topographical 1:200 plan.	Approve 15-09-20
A/55/19/PL	Construction of 1 No. new two storey house (resubmission following A/31/19/PL). This application is a Departure from the Development Plan & affects a Public Right of Way.	ApproveConditionally 08-08-19

REPRESENTATIONS

Parish Council - Object - No other examples of fencing to front boundary in adjacent homes, others have open frontages.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundaty

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy HD4 of the Angmering Neighbourhood Development plan seeks to ensure development requiring planning permission which, by virtue of their materials, are inharmonious with the area, are refused.

Policy HD5 on the Angmering Neighbourhood Development Plan states proposals should demonstrate their consideration of the proposal on its surrounding. This means the development should conform to the existing built form of the area and constitute a positive addition to the current style, and mix. New development must integrate well with the character of the locality, and its landscape setting. Finally, it should not adversely impact on the landscape setting, or any views in or out of the South Downs National Park.

DESIGN AND VISUAL AMENITY

The location has an eclectic mix of boundary treatments, from mature hedging to low brick walls and fencing. Many of the properties running along the road have planting/grass verges with boundary treatments set back off the road, others have completely open frontages. The sections of road abutting the golf course also have an open frontage.

The fence would be 2m away from the highway edge with a planting buffer similar to other properties in the road. The Parish Council objected stating that the portion of road has an open feel. It is agreed that the view looking north west along Ham Manor Way, with glimpses of the golf course and further on, are very open. Many of the properties have larger planting verges than is proposed.

The fence will be incongruent appearing unduly dominant in the street scene and disrupt the open character of the locality in conflict with policies D DM1 of the Arun Local Plan and policy HD5 of the Angmering Neighbourhood Plan.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may

arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 The development has a harmful impact upon the character of the street scene and the wider locality due to its harsh, dominant appearance and significant scale and height. The development conflicts with D DM1 of the Arun Local Plan and Policy HD5 of the Angmering Neighbourhood Development Plan.
- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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 meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.