

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

REF NO: BN/88/26/HH

LOCATION: 4 Hedge End
Barnham
PO22 0JP

PROPOSAL: Retrospective erection of fencing to the front of the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Barnham and Eastergate Parish Council - No objection.

2 No. letters of objection received from a nearby occupier for the following reasons:

- Concerns over the structural integrity of the fence
- Concern that the fence would set a precedent within the street and compromise the open character.
- Height of fence creates enclosed/boxed in feeling.
- Loss of visibility exiting driveway and potential increased risk of accident.
- Loss of light contributing to potential increased risk of crime.

Concerns regarding structural integrity of the fence are not a planning consideration for this application.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Lidsey Treatment Catchment Area.
Lidsey LFRZ.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

Retrospective planning permission is sought for the erection of a stepped front boundary fence.

The site comprises of a mid-terrace two-storey dwelling, and the surrounding area is characterised by mid-density residential development. The fence line has been erected to the front of the property along the southern side boundary line that adjoins 3 Hedge End, separating the existing driveways.

The fence line consists of wooden panels, extending from the front elevation of the dwelling to the adjoining highway and is stepped in appearance, decreasing in height towards the highway. The first panel extending from the facade has a height of approximately 1.82m, the second panel a height of approximately 1.68m and the four panels closest to the highway have a height of 1m. The two tallest panels are positioned closest to the dwelling, resulting in a stepped appearance that naturally lowers towards the highway and is not visually intrusive within the street scene. Furthermore, the street scene is varied with several examples of close boarded fencing within close proximity to the highway. As such, the proposal has not resulted in harm to visual amenity.

It is noted that the stepped nature of the fence and given its reduction in height, the fence does not significantly obstruct visibility beyond that associated with vehicles parked within the driveways.

It is noted that objections have been received from nearby occupiers regarding the fence line compromising the existing open character of Hedge End. Whilst the frontages in Hedge End are generally open, several dwellings already have boundary treatments separating from their neighbours, including a fence between 2 and 3 Hedge End, and a well established hedge between 4 and 5 Hedge End. In addition, the street scene becomes increasingly varied to the north where the highway is adjacent to the rear boundaries of numbers 9-17 and therefore the appearance of fencing in close proximity to the highway is not of great contrast to the street's existing character. Whilst it is acknowledged that the fence is solid in nature, it is not of a scale or nature that has resulted in adverse harm to the character or street scene.

Therefore, the fence does not appear unduly prominent or out of character with the street scene or area and accords with Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The boundary line runs east to west, with the adjoining neighbour located to the south, therefore any overshadowing is isolated to the driveway of 4 Hedge End only. Having regard to its height, stepped profile, and relationship with the neighbouring dwelling, the fence has not resulted in unacceptable overbearing or overshadowing effects to the neighbouring property.

Given the nature of the proposed development, the proposal has not resulted in any overlooking or loss of privacy.

Overall, the fence is not of a scale, nature, or siting that has given rise to any adverse impacts by way of overbearing, overshadowing, or overlooking on any neighbouring properties. As such, it is in accordance with policy D DM1 of the Arun Local Plan.

SUMMARY

The proposed development is acceptable in accordance with relevant Development Plan policies and is therefore recommended for approval, subject to conditions.

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

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be maintained in accordance with the following approved plans:

- Location Plan
- Block Plan
- Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 2 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.