



APPLICATIONS & APPEALS SERVICES

CAMBRAE
THE WARREN
FERRING
BN12 5PQ

Retention of boundary fencing

PLANNING, DESIGN
& ACCESS STATEMENT

August 2021



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1.0 INTRODUCTION

1.1 Retrospective planning permission is sought for the erection of boundary fencing to the property comprising chain link fencing adjacent to new laurel hedging to the south and south east of the site with fencing panels to the west together with new gates to provide a secure curtilage.

1.2 This Supporting Statement addresses the design and access issues as well as relevant planning policy, having regard to the requirements of Article 8 of the Town and Country Planning (Development Management Procedure) Order 2015. The details of the proposals will be described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed additional accommodation;
- **Amount** – the extent of development on the site;
- **Scale** – the physical size of the development;

- **Layout** – the relationship of the proposed extension and alterations to neighbouring properties;
- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Access** – access to the development and parking provision.

1.3 The Council is requested to consider this Statement alongside the submitted plans and this demonstration that the proposed development accords with the relevant planning policies and is acceptable in all respects. It is hoped that the Council will support the proposal and grant Planning Permission.

2.0 PHYSICAL CONTEXT

2.1 Cambrae occupies a broadly rectangular plot set towards the south of The Warren, Ferring which occupies a corner position at the junction of The Warren to the east and Lamorna Gardens to the south. The property itself is a detached single storey dwellinghouse constructed from brick elevations sitting under a pitched tiled roof which faces east.

2.2 The curtilage to the property has gardens to the north and south of the dwelling with access to provide on plot parking positioned to the north. The site retains wide grassed verges to the public domain.

2.3 The property is located within a residential estate which has an open plan layout to the street. Properties are of a mix of designs ranging from two storey units to the southeast, with the remainder of properties comprising single storey bungalows or chalet style houses with rooms in the roof. Dwellings have been extended and altered over time to the occupiers' requirements providing variation in the street scene. Properties are evenly spaced throughout the street with good sized plots which gives regularity to the public domain.

2.4 The site has no relationship to any heritage assets such as listed buildings or Conservation Areas. According to the Environment Agency flood risk maps, the property is located within Flood Zone 3 for flooding from the sea but at very low risk from surface water flooding.

2.5 The aerial photograph below shows the location of the site to its immediate surroundings.



Cambrae, The Warren

2.6 The images below provide a closer view of the site.



Google street scene – original view from the south



View from the junction of The Warren and Lamorna Gardens



Views from The Warren



Views from Lamorna Gardens

3.0 PLANNING HISTORY

3.1 The application site lies within the administrative area of Arun District Council. An inspection of the Council's planning register reveals the following planning history for the property:

- PG/68/70 – Single storey houses and garages, Plots 1/13 land at 'Lamorna', The Warren, Ferring. Permission granted 24th July 1970.
- FG/53/19/HH – Single storey side extension. Permission granted 23 July 2019.

3.2 Relevant to this current application is the original planning permission for the property under reference PG/68/70. The grant of permission included a planning condition withdrawing permitted development rights for boundary walls and screen walls which states:

'Apart from screen walls and boundary walls shown on plan and referred to in condition 2 above, and notwithstanding the provisions of the Town and Country Planning General Development Order 1963, as amended, no gate, fence, wall or other means of enclosure shall be erected or constructed forward of the buildings hereby permitted unless permission is granted by the Local Planning Authority on an application in that behalf'.

4.0 PLANNING POLICY CONTEXT

National Planning Policy Framework (NPPF)

- 4.1 The NPPF confirms its status within the planning process at paragraph 2 where it states: *“The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions”*. The NPPF is therefore afforded weight in the decision-taking process.
- 4.2 The NPPF reinforces the drive for sustainable development within paragraph 7 stating that *‘the purpose of the planning system is to contribute to the achievement of sustainable development.’* The pursuit of sustainable development continues to have three dimensions, now expressed as objectives, comprising an economic objective, a social objective and an environmental objective.
- 4.3 Paragraph 9 states that in pursuing sustainable development *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”* This paragraph is of paramount importance which identifies that the objectives of sustainable development outlined in paragraph 8 of the NPPF should be taken as a guide when determining what is sustainable, reinforcing that each planning decision has to be made on its own merits having regard to local circumstances.
- 4.4 Chapter 4 of the NPPF addresses decision-taking. Paragraph 38 states that ***‘Local planning authorities should approach decisions on proposed development in a positive and creative way.’***
- 4.5 In respect of car parking provision, Chapter 9 of the Framework states that in setting local parking standards, Local Planning Authorities should take into account the accessibility of the development, its type, mix or use, the availability of and opportunities for public transport, local car ownership levels and an overall need to reduce the use of high emission vehicles.
- 4.6 Chapter 11 of the NPPF requires that development makes effective use of land with Paragraph 119 advocating that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”*.

- 4.7 The NPPF places great emphasis upon the creation of high quality buildings and places within Chapter 12. Paragraph 126 sets out 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 130 sets out a number of tests for achieving high quality development, which includes ensuring that developments (in summary):
- a) function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character, including the surrounding landscape setting.
- 4.8 Chapter 15 of the NPPF gives consideration to the natural environment. Paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, by recognising the wider benefits of eco system services and by minimising impacts on biodiversity. This is continued within paragraph 180 which refers to biodiversity and states that local planning authorities should preserve and enhance biodiversity. It is also required that new

development should adequately mitigate against any potential harm, with encouragement given to incorporating biodiversity enhancements in and around new development.

Local Planning Policy

- 4.9 The local Development Plan comprises the Arun Local Plan 2011 – 2031 which took effect in July 2018.
- 4.10 The relevant Local Plan policies to this development proposal comprise:
- Policy SD SP1 – Sustainable development
 - Policy D SP1 - Design
 - Policy D DM1 - Aspects of form and design quality
- 4.11 Policy SD SP1 (Sustainable development) states that a positive approach will be taken to development proposals that reflect the presumption in favour of sustainable development and will work proactively to find solutions to secure development.
- 4.12 Policy D SP1 (Design) requires that new development makes efficient use of land whilst reflecting the characteristics of the local area in all aspects of design.

- 4.13 Policy D DM1 (Aspects of form and design quality) sets required criteria for the assessment of new development, having regard to character, appearance/attractiveness, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout, public art, density, scale and form.

Neighbourhood Planning

- 4.14 The site lies within the area covered by the Ferring Neighbourhood Development Plan 2014-2029 which additionally forms part of the development plan. The Neighbourhood Plan was made in November 2014. Of the policies contained within the Neighbourhood Plan, Policy 1A is the only policy that has relevance to the development.
- 4.15 Policy 1A (Spatial Plan for the Parish) requires that new development within the built-up area boundaries accord with the urban setting and other development plan policies.

5.0 DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

5.1 In addressing the principle of development, the Development Plan provides opportunity for householders to alter land in their ownership beyond works which could otherwise be undertaken using permitted development rights. It is however acknowledged that in this instance, the proposal comprises works contrary to a planning condition attached to the original permission for the property which removed permitted development rights for boundary enclosures back in 1970.

Background

5.2 The application seeks retrospective planning permission following advice received from the Local Planning Authority where the owners were unaware of the removal of permitted development rights. The works comprise the replacing the original estate low brick and flint wall to the southern part of the site with a safe and secure enclosure to the property as well as privacy for the occupier. The existing boundary brick wall to the north of the property remains.

5.3 The works were undertaken in conjunction with the remodelling and extension to the dwelling to accommodate the specific and additional needs of the occupiers where a medical condition would be exacerbated by not having a secure and private dwelling. Furthermore the occupier requires a secure enclosure to the site for when, due to the physical medical condition, a companion dog (which is crucial for wellbeing) cannot be otherwise walked, but still requires an environment for exercising.

5.4 The works to the boundaries were undertaken following advice from the Duty Planning Officer who confirmed that a 2m fence could be erected to the side (west) of the property. No reference was made to the presence of a planning condition withdrawing permitted development rights. Notably there are also other boundaries within the area which similarly have been erected on curtilages to enclose plots.

Amount and scale of development

5.5 The amount and scale of the development seeking regularisation is modest comprising:

- a) the erection of a green chain mesh fence around the eastern and southern boundaries of the site to provide support for hedging. The fence is 1.2m in height and will in time will be screened by the hedging as it matures.
- b) Erection of 1.93 fencing with a gate to the western boundary to enclose the site parallel to a pedestrian access leading onto Lamorna Gardens. The fencing provides a continuation of the existing brick boundary wall between Cambrae and 12 Lamorna Gardens to the west.
- c) The erection of a 1.93m gate to the north of the hedging to secure the southern garden.

5.6 It is pertinent to note that the new fencing to the west was erected where there is insufficient space to plant further hedging due to the position of a rear footpath in proximity to the boundary where space needs to also be retained to provide wheelchair access.

5.7 In considering the proposal, it is essential to be mindful that the curtilage to the site can be enclosed by planting of any height without any requirement for planning permission.



Examples of other boundaries to the street scene in proximity to the site (taken from Google Street View)

6.0 LAYOUT, DESIGN & APPEARANCE

- 6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment with the Local Plan Policies D SP1 and D DM1 considering matters of design, requiring new development to be of a high quality, with an attention to detail. These policies place weight upon the effect of new development upon its surroundings having regard to matters of design, scale, materials, siting and layout as well as the relationship to neighbouring development and the setting in the landscape.
- 6.2 In having regard to the development plan policies, the erection of the new enclosures to the site do not have any significant adverse impact upon the character of the area where the appearance of the original estate has altered over time. Pertinently the enclosures erected and planting equally over time have also been altered with enclosures by hedgerow notably not requiring planning permission.
- 6.3 Policy D DM1 (Aspects of form and design quality) contains prescriptive criteria for assessing new development. As such the criteria are individually addressed below.

Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

- 1. Character - Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.***
- 2. Appearance/attractiveness - Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.***

- 6.4 Criteria 1 and 2 overlap both referring to design matters having regard to materials and landscaping therefore are considered together.
- 6.5 The erection of the chain mesh fencing is of a colour that blends with the adjacent planting and in time, will become indiscernible as the hedge matures, thus having no impact on the character and appearance of the street scene. The fence is of a low height, only extending 0.20m above the height which would have ordinarily been allowed under permitted development rights (had these been in place). The fencing provides security in the interim as well as

support to the hedgerow itself.

- 6.6 The proposal also includes the retention of fencing to the western boundary between Cambrae and 12 Lamorna Gardens which forms a continuation in height of the existing high boundary brick wall together with two gates (to the north and south of the site). It is not unusual to have enclosure between residential curtilages to provide privacy for the occupiers. The fencing has also been erected inside the applicant's boundary and secures the site to the west and north whilst still provides access to Lamorna Gardens via a pedestrian access which needs additional width to be wheelchair accessible.
- 6.7 The fencing selected is of an attractive bow top finish with a lattice face to form an attractive addition to the site with gates to match and sits comfortably with the mix of hard boundaries visible in the street scene. The appearance of the fencing will weather in time to soften the appearance and in fact extends only for a very short length, comprising just 3.5 fence panels with a gate on the return to Lamorna Gardens.
- 6.8 The proposed development provides a safe and secure garden space for the occupiers of the property. The development therefore makes efficient use of the land

whilst continuing to retain a grassed verge to the highway commensurate with the character of the area. Notably the proposal sits within an area that has a range of boundary treatments visible within the street scene ranging from brick walls of differing heights with some also containing a mix of fencing or flint inserts together with use of lap fences. These boundaries enclose a mix of front and rear garden spaces therefore are equally visible to the street scene and equally contribute to the character of the area.

- 6.9 In considering the impact to the character of the area; notably this is not visible to The Warren where the hedgerow forms the dominant boundary on this corner plot to the street scene and in turn provides screening. Only the gate is glimpsed in passing where this will in time become further screened by the growth of the hedgerow. From within Lamorna Gardens, the fencing is only seen in passing and viewed in context with the division between two curtilages where this is not unusual to have boundaries of this height.
- 6.10 The proposal therefore creates a balance given the need to enclose the site and provide a connection between the hedgerow to the south and the wall to the west. Leaving this length of boundary as an open gap would not meet the

3. Impact

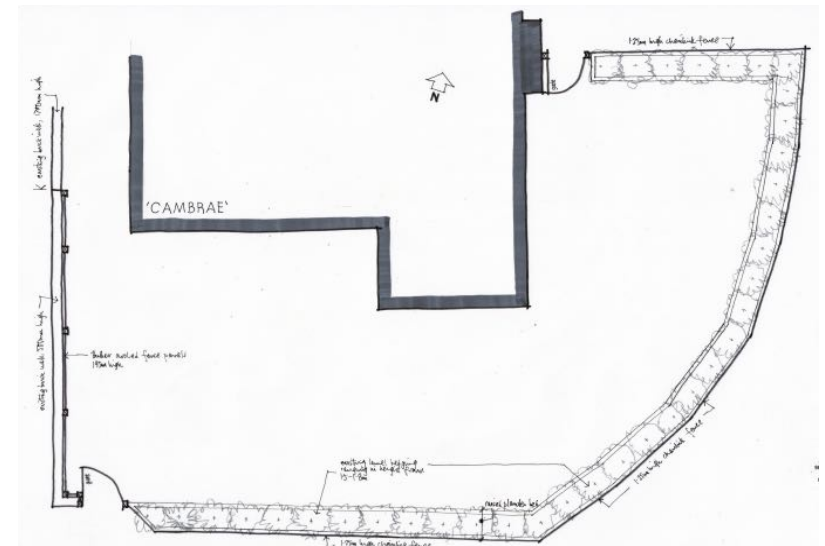
6.11 The development has minimal impact upon neighbouring properties. Whilst the boundary enclosures are visible to neighbouring properties surrounding the site, there is no harm to privacy, amenity, sunlight or outlook. Indeed the fencing enhances the privacy of the neighbour's property. The erection of the fencing also generates no harm by way of noise and disturbance. The proposal therefore accords with criteria 3.

4. Innovation

techniques, where a development proposal has the potential to do so.

- 6.12 There is not opportunity to embrace innovative design and technologies given that the proposal addresses the installation of enclosures to a residential property which are functional in use and appearance.

Figure 1: Site Layout



5. Adaptability

Acknowledge diversity and difference. Buildings and places should be flexible to future adaptation, including the changing needs of occupants (for example ageing users, family circumstances), changes in wider work and social trends, and be able to accommodate potential differing uses of public space.

- 6.13 The development is specifically designed to meet the needs of the occupants and to facilitate the enjoyment of their property. The development does not include public space therefore this aspect of the criteria is not relevant.

6. Crime prevention

Provide security measures that make places feel safer. This shall be achieved through natural surveillance and human presence by locating buildings and play areas along public routes and spaces, and making a clear division between private and public land to foster a mutual protection through territorial belonging. With respect to crime prevention, regard shall be had in particular to the document 'Secured by Design' and the 'Safer Places - The Planning System and Crime Prevention'.

- 6.14 The development affects an existing residential property and would continue to maintain natural surveillance across the plot. The works would also maintain a clear public and private domain as currently found on site.

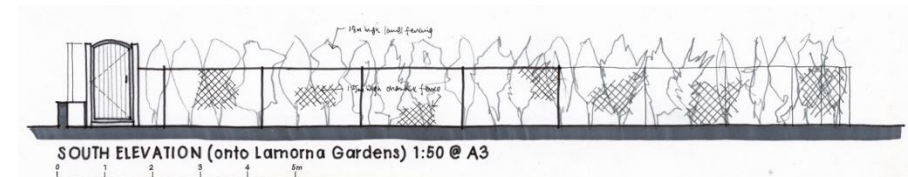
7. Trees and woodland

All new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

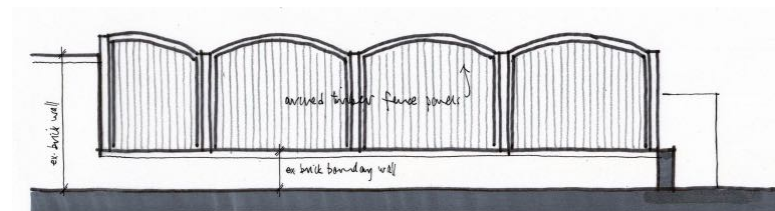
- 6.15 The development has no impact upon existing planting within the curtilage of this private residential dwelling and no new

planting is proposed with the development where planting has already occurred to create the new hedgerow. No trees are therefore affected.

Figure 2: Elevations



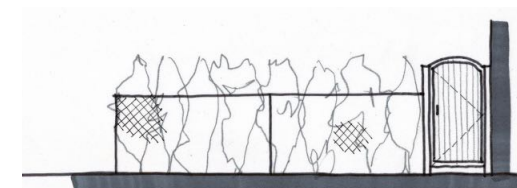
South elevation



West elevation



East elevation



North elevation

8. Solar gain

Within the constraints of the site and local context development proposals should, maximise sunlight and passive solar energy. Ideally development should be positioned (within a 15-20 degree margin) broadly south, with streets having an east-west pattern.

- 6.16 The orientation of the site is prefixed however the nature of the proposal under consideration has impact upon daylight and sunlight.

9. Public realm

Provide or enhance layouts, streets and public spaces so that they are attractive, socially inclusive, safe and secure, adaptable, with appropriate provision for planting, street furniture, and facilities for bicycle storage to create a place with attractive and successful outdoor areas.

- 6.17 The development would have no contribution to the public realm and does not provide any public realm features therefore criteria 9 is not relevant.

10. Layout – movement

Utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept.

- 6.18 Criteria 9 is not relevant.

11. Layout – legibility

Deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building detail, signage).

- 6.19 The development has no impact upon the ease of navigation or street furniture.

12. Public art

Public Art should be incorporated into schemes where there is capacity to do so. Public art can encompass a wide variety of elements to include art as part of the design of buildings and developments, landscape and planting, street furniture, signage and lighting in the public realm which is accessible to all. This can also result in physical, permanent artworks and sculptures.

- 6.20 The proposal is for works at a single private residential dwelling therefore provision of public art is not relevant.

13. Density

The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity.

- 6.21 The development has no impact upon the density of development in this location.

14. Scale

The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

- 6.22 Matters of scale and the impact of the proposal on the character of the area have been addressed under criteria 1 and 2 above. It is reiterated that in conjunction with the existing planted hedgerow which does not require planning permission, the proposal would not be of overriding demonstrable harm to the character of the area.

15. Aspects of form and design quality

Development should also comply with the Arun District Council Design Guide.

- 6.23 Matters regarding form and design have been addressed in relation to criteria 1 and 2. Notably Chapter H.01 of the Arun District Design Guide advocates enclosure that provides a 'feeling of safety and comfort' and to offer 'a sense of protection'. The Design Guide continues noting that the creation of amenity is important for occupants and users of sites, which is particularly applicable to this proposal.
- 6.24 The Design Guide continues by ensuring that boundaries are of a high quality which is achieved at Cambrae through use of hedging and quality fencing of an attractive design, as opposed to simple lap or close boarded panels. This follows the Design Guide which highlights that close board or panel fencing may not be appropriate in certain locations. The proposal is therefore considered to accord with criteria 15.

Natural Environment

- 6.25 The NPPF requires that local planning authorities should preserve and enhance biodiversity and that new development should adequately mitigate against any potential harm. Locally, Policies ENV SP1 (Natural Environment) and ENV DM5 (Development and biodiversity) require that new development seeks to achieve a net gain in biodiversity and protects existing habitats and protected species on site.
- 6.26 The site is not located within any area designated for its ecological interest and is not within any isolated rural area. The site is also not surrounded by significant mature trees however the new hedgerow does provide opportunity for biodiversity net gain creating a new natural habitat.
- 6.27 There is no conflict with the relevant development plan policies or advice set out in the NPPF addressing biodiversity, with the proposal also ensuring that the characteristic landscape of the locality would be safeguarded.
- 6.28 The site does sit within an area at high risk of flooding from the sea however the development would give rise to no new demands or adverse impacts upon drainage.

7.0 ACCESS AND PARKING

- 7.1 Local Plan Policy T SP1 (Transport and Development) and Policy PK1 of the Neighbourhood Plan ensures that development meets its transport demands and is designed to minimise additional traffic generation, provides for safe and easy movement and meets parking requirements.
- 7.2 The proposal has no impact on transport generation or parking provision at the site with the property retaining on site parking with appropriate visibility to allow for safe access and egress. The proposal also provides for pedestrian access to the site.

8.0 CONCLUSION

- 8.1 Retrospective planning permission is sought for the retention of new enclosures to the garden of Cambrae to sit in conjunction with the planting of a laurel hedge to provide privacy and security for the occupants of the property.
- 8.2 The chain mesh fencing is of a colour that blends with the adjacent planting and in time, will become indiscernible as the hedge matures, thus having no impact on the character and appearance of the street scene. The fence is of a low height, only extending 0.20m above the height which would have ordinarily been allowed under permitted development rights (had these been in place). The fencing provides security in the interim as well as support to the hedgerow itself.
- 8.3 The proposal also includes the retention of a short length of fencing to the western boundary between Cambrae and 12 Lamorna Gardens which forms a continuation in height of the existing high boundary brick wall together with two gates (to the north and south of the site). The fencing secures the remainder of the site and has an attractive bow top finish with a lattice face to form an attractive addition to the site with gates to match and sits comfortably with the mix of hard boundaries visible in the

street scene.

- 8.4 The proposed development provides a safe and secure garden space for the occupiers of the property and also retains the grassed verge to the highway. Notably the proposal sits within an area that has a range of boundary treatments visible within the street scene and where higher boundaries are acceptable to divide residential curtilages and enclose private space and are therefore equally visible to the street scene and equally contribute to the character of the area.
- 8.5 The proposal is a pragmatic response to the site and the surroundings whilst also providing the necessary means of enclosure required by the occupants given the disabilities outlined. The proposal is not unacceptably prominent to the street scene and does not create any overriding demonstrable harm to the character of the area.
- 8.6 This Planning, Design and Access Statement demonstrates that the proposal is compliant with the aims of the NPPF, and additionally accords with the relevant policies of the Arun Local Plan 2011-2031 and the Ferring Parish Neighbourhood Plan 2014 – 2019.