

PLANNING APPLICATION REPORT**REF NO:** FP/152/08/**LOCATION:** 1 Poulner Close
Felpham**PROPOSAL:** Change of use from highway verge to private garden and erection of 1.8m high brick boundary wall**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Change of use of the land from amenity to residential curtilage (garden) and enclosure of that land by brick wall and high boarded gate, approximately 1.8m in height.
SITE AREA	Approximately 296 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Undefined
SITE CHARACTERISTICS	Parcel of grassed amenity land, open to highway. Trees located on it.
CHARACTER OF LOCALITY	Residential estate with open and spacious character. Generally an absence of hard boundary treatments in and around the site, and along surrounding street frontages

RELEVANT SITE HISTORY**REPRESENTATIONS****Representations received:**

Felpham Parish Council

Felpham Parish Council: Objection

Severe impact on street scene, replacing open space and trees with high brick wall and consequential loss of visual amenity

Trees which would be subsumed into applicant's garden were provided by public money from council

Loss of open space which would set dangerous precedent

26 letters of objection:

Loss of spaciousness
 Adverse effect of outlook
 Detrimental to character of street scene and wider locality
 Contrary to relevant Development Plans
 Valuable area of open space used by local residents, including children
 Already enough removal of greenery by paving over of front gardens
 Precedent for house on site and similar development in area
 Highway hazard due to reduction in visibility

Comments on Representations received:

Each application is determined on its own individual merits; approval would not set precedent.

Private outlook is not a material planning consideration.

The area is not designated open space. Rather it is simply, amenity land.

The erection of the wall is not considered to reduce highway visibility to such an extent as to create such a severe highway safety issue as to warrant refusal.

It is agreed that the proposal would have a detrimental impact upon visual amenities of the street scene, and the area's established character. It is recommended for refusal for those reasons.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
 Within built up area boundary
 Open plan estate

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1 DEV1 CH1	Locational Strategy High Quality Development Character
Arun District Local Plan:	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity, and established character.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that it is considered that the fence and gate appears as a hard, intrusive feature which is detrimental to the visual amenities of the street scene and is out of keeping with the generally open character of the surrounding residential area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The estate, to which the site is located, has a generally spacious feel which can be largely attributed to the open plan gardens and reasonably wide roadways generally abutted by grass verges. The proposal seeks approval to erect a 1.8m fence and gate tight to pavement edge.

The application site is in a prominent position near to the entrance of Barton Road and Whiteways. The erection of the fence and gate with such a tight gap between fence and gate, and footway does not leave adequate space for planting of vegetation to soften the visual impact of the fence. The fencing and gate, un-softened by any vegetation would appear as a hard, intrusive feature which would be detrimental to the visual amenities of the street scene. The loss of the open and spacious character to the locality that would result if the area were to be enclosed and changed in use from amenity land to garden, is also detrimental to established character of the street scene.

It is therefore recommended that the planning application be refused, for the following reason.

RECOMMENDATION

REFUSE

- 1 The incorporation of amenity land into private garden, and introduction of the wall forward of the building and facing onto Glynde Crescent and Poulner Close, would detract from the visual amenities and open character and appearance of the estate in conflict with policies DEV1, CH1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.