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

REF NO: LU/143/24/HH

LOCATION: 33 Ketch Road
Littlehampton
BN17 6RE

PROPOSAL: Extension of existing 2m fence (wall) to side garden to line up with porch.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The development proposes to construct a fence and brick wall which will join with existing boundary treatment. It will extend along the front boundary of the property and extend north meeting with a porch to the principal elevation.

REPRESENTATIONS

Littlehampton Town Council provided no objection.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built up area boundary
PD restriction (open plan)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

Littlehampton Neighbourhood Plan 2014 Policy 1 — The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE
The site is located within the built up area boundary (BUAB) where the principle of development is acceptable.

Policy 1 of the Littlehampton Neighbourhood Plan advocates for development in the BUAB.

DESIGN AND VISUAL AMENITY
The site is located to a corner of Ketch Road and Tideway. The site has an open frontage to the east and south. To the western boundary there is part brick, part fence wall with trellis above.

The fence would be extended 3.2m to the eastern elevation. This is set back from the front boundary line and existing fence line and highway by 1m. This would then extend north for 4m, joining with an access gate which then meets with a porch. This would essentially enclose part of the front garden to enlarge the private amenity space.

There are limited examples of boundary treatment in the area and the site is subject to an open plan condition, although there is a brick wall opposite. The wall would have a height of 1.8m which would consist of alternating brick and fence up to 1.4m with a 0.4m high trellis on top.

The appearance of the wall would match the existing and due to the design proposed, it does not appear as a dominant feature within the street scene. It would also not result in an unacceptable enclosure of the site.

Whilst there are limited boundary treatments present in the vicinity due to an open plan restriction, there is existing boundary treatment already in place and the extension to this is acceptable in this case by reason of it design and siting and the development proposed would not result in adverse harm upon the character of the area in accordance with D DM1 and D DM4 of the Arun Local Plan.

The Arun Design Guide states 'schemes should retain existing boundary walls, fences and hedges to preserve the street scene, and provides new boundary features where appropriate'. The new boundary treatment proposed is appropriate in this case in terms of design and siting.

RESIDENTIAL AMENITY
The property is located to a corner. The boundary treatment is set back 1m from the highway and due to its position on site, with no neighbouring properties to the western side, the development would not result in adverse harm by way of overbearing or overshadowing.

Due to the type of development proposed, it would not give rise to harm upon neighbouring amenity in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY
The proposed development complies with relevant development plan policies and is 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

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

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved which relates solely to the boundary wall/fence shall be carried out in accordance with the following approved plans:

- Location Plan
- Block Plan
- Proposed Site Plan - 05B
- Proposed Elevations - 203C
- Proposed Elevation - 202C
- Proposed Ground Floor Plan - 102 C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

3 The materials used in the construction of the wall/fence hereby permitted shall match in colour to the existing boundary treatment to the southern elevation.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 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 National Planning Policy Framework.