



**DECISION NOTICE**  
**LITTLEHAMPTON TOWN COUNCIL**  
**NOTICE OF DECISION MADE BY THE PLANNING AND TRANSPORTATION**  
**COMMITTEE**  
**MEETING DATE: MONDAY 12<sup>TH</sup> OCTOBER 2015**

| APPLICATION No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SITE ADDRESS                             | WARD                      |
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| LU/258/15/HH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 6 Willow Brook Littlehampton<br>BN17 7NW | Courtwick with Toddington |
| <b>DESCRIPTION:</b><br>Retention of fence in back garden and change of use from highway verge to C3 Residential use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                          |                           |
| <b>DECISION:</b><br><p><b>78.3.1</b> The Committee was advised that there was one speaker in respect of this application. Members received an update and presentation on the matter from the District Council's Planning Officer. He informed the Committee that this was a retrospective planning application relating to the construction of a close boarded fence on land that was previously part of the highway verge. This also constituted a change of use as the verge now formed part of the applicant's rear private garden. He explained that the fence had been constructed beyond the building line of the property within an open plan estate where the original planning permission removed the permitted development rights to construct fences without the need to apply for planning permission in order to safeguard the character of the area. Having also assessed the impact of the fence on the neighbouring property it was considered that the fence blocked the light into the lounge window creating an adverse impact on the visual amenity of number 8 Willow Brook. The application was therefore recommended for refusal as it would result in the loss of openness, a characteristic of the estate and the adverse impact on the neighbouring property by virtue of the overshadowing nature of the fence.</p> <p><b>78.3.2</b> The Committee then heard, under Public Speaking, from Mrs Turner, the applicant who spoke in support of the application. Mrs Turner explained that she had constructed the fence in good faith for reasons of security and privacy. She stated that the verge itself was inadequately maintained by the local authorities and was prone to being used as dumping ground for waste. Having checked that the ground was within the boundary of her property, she had therefore installed the fence as others had done in the estate. She circulated photographs of the site which showed rubbish having been deposited there prior to the fence being installed and pictures of other fencing on the Estate and urged the Committee to support the retention of the fence.</p> <p><b>78.3.3</b> The Committee went on to consider the application in more detail and discussion focussed on the ownership and responsibilities regarding the land that had been fenced off and the overall impact of the fencing on the character of the Estate and the neighbouring property. The Planning Officers confirmed that the land which had been enclosed was in the ownership of the property and that the fencing created a garden giving rise to the change of use from a verge to a garden. It was noted that there were other examples of fencing on the estate and Members discussed the impact on the openness of the estate and the extent to which this would set a precedent for the future. The Committee judged that the fencing was less impactful because it was restricted to the rear of the property and that the overall appearance of the area was much improved as a result of the installation. It was therefore <b>RESOLVED</b> that:</p> <p><b><u>The application be approved with a condition that the fencing be retained in accordance with the plans submitted.</u></b></p> |                                          |                           |
| <b>VOTE:</b><br>FOR: 5<br>AGAINST: 0<br>ABSTENTIONS: 0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |                           |

**PETER HERBERT**  
Town Clerk