

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

REF NO: P/110/18/HH

LOCATION: Rainbow Cottage
Nyetimber Lane
Bognor Regis
PO21 3JX

PROPOSAL: Replacement boundary fence.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application proposes a replacement boundary fence to the western elevation of the property.

RELEVANT SITE HISTORY

P/3/12/	Single storey extensions.	ApproveConditionally 08-03-12
P/113/03/	Bedroom extension.	ApproveConditionally 31-10-03
P/128/01/	Demolition of existing dwelling and erection of new dwelling and detached garage	ApproveConditionally 11-01-02

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Pagham Parish Council
Pagham Parish Council provided no objection.
No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 of the Arun Local Plan

Policy 1 and 3 of the emerging Pagham Neighbourhood Plan are of relevance to the proposal and the proposal complies with these policies.

The site is occupied by a detached bungalow property on a corner plot with the property facing south at Nyetimber lane with a detached double garage and the proposed replacement fencing fronting the western elevation at Springfield.

DESIGN AND VISUAL AMENTIY

The proposed replacement fence is situated to the western elevation and is highly visible from the street scene. There is currently a fence in existence and the proposal seeks to replace it with a fence of the same height at 1.8m however the colour will change. The proposed colour would be cream to match the gable end of the host dwelling. It would also be similar in appearance to the detached garage doors located adjacent to the fence. As a result it is considered to appear suitable for its location.

Whilst the surrounding area to the rear side of the dwelling at Springfield is of an open plan appearance there is a brick wall situated opposite and due to its siting approximately 2m from the boundary and with a fence already in existence it is not considered to appear unduly dominant upon the street scene.

The proposed fence is not considered to impact upon the spatial pattern or character of the area and accords with DDM1 of the Arun Local Plan

RESIDENTIAL AMENITY

Due to the location of the fence and its modest height it is not considered to give rise to any adverse impacts upon neighbouring amenity by way of overlooking, overbearing or overshadowing and accord with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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 shall be carried out in accordance with the following approved plans
- Existing and Proposed Floor Plans, Location and Block Plan - Sheet 1 of 1

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.