APPLICATION REF: P/120/06

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Retention of existing decking abutting rear elevation, 5 Well Road, Pagham

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The decking measures approximately 9.2m in length, 4.3m (maximum) in depth and 300mm (maximum) in height.
SITE AREA	Approximately 308 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Rear garden slopes down from north to south.
TREES	None affected by the application.
BOUNDARY TREATMENT	Front boundary is open to the highway, rear east side boundary has close boarded fencing approximately 2m in height, rear west side boundary has close boarded fencing approximately 2m in height, rear south boundary has close boarded fencing + trellis approximately 2.1m-2.3m in height.
SITE CHARACTERISTICS	Detached single storey bungalow with integral garage and flight of steps leading to front entrance. The walls have multi coloured brickwork, red tile hanging to gable front and rear, green painted render on rear elevation, white PVCu windows and doors with a red tiled roof.
CHARACTER OF LOCALITY	Residential area comprising detached bungalows of various styles and designs with unmade roads.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
P/52/03	Demolition of sub-standard bungalow and chalet at 5 Well Road and erection of two detached bungalows each with garage and parking.	Withdrawn 24-06-2003.
P/9/04	Erection of two detached bungalows each with garage and parking (re-submission following P/52/03).	Approved/Conditionally 30-06-2004.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Pagham Parish Council	Objection – It appears to contravene Condition No 6 on P/9/04 in that it seems clear that there has been an abrogation of the Planning Authorities intention to protect the "quiet enjoyment" of immediate neighbours. It is significantly elevated, perceived to be obtrusive and unneighbourly, and thus contrary to GEN7 and DEV19.
1 Letter of Objection	Height of the decking should be lowered to alleviate any potential overlooking into my property.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environment Agency	No comments or objections.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Area of Special Character Private Street Protected Coastal Area Permitted Development Restriction regarding extensions & alterations Open Plan Condition

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN7, AREA1

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPG25 - Development and Flood Risk

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.

COMMENT ON CONSULTATION RESPONSES

Noted – The Parish Council's objections are noted but it is not considered that the decking is obtrusive being to the rear of the property and the owners of the neighbouring property to the rear 2c Lagoon Road have agreed that a 2.4m close boarded fence should be erected within the rear boundary of 5 Well Road to alleviate any potential overlooking or loss of privacy to their property.

COMMENT ON REPRESENTATIONS RECEIVED

Noted – As agreed with the applicant and adjoining owners of No 2c Lagoon Road a 2.4m high close boarded fence to be erected on the rear boundary of 5 Well Road.

ASSESSMENT OF PROPOSAL

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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of adjoining properties, nor would it have an adverse impact upon the established character of the surrounding residential area.

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 wooden decking has been constructed to the rear of the recently constructed bungalow and at the time of the officer's visit the bungalow was not occupied. The decking covers the full width of the bungalow and has a floor area of approximately 36.75 square metres and at its highest level is approximately 300mm in height. The decking is accessed from the bungalow by patio doors and is also accessed externally from the paved path on the east side of the bungalow.

The neighbouring property to the west No 7 Well Road is approximately 11m from the proposal and the neighbouring property to the east No 3b Well Road is approximately 3.8m from the proposal. Due to the orientation of this property, the absence of windows on the west side elevation and adequate boundary screening it is not considered that the proposal would cause any unacceptable overlooking or loss of privacy to this property.

The neighbouring property to the rear no 2c Lagoon Road is approximately 8m from the proposal. At the present time the rear boundary has close boarded fencing + trellis approximately 2.1m-2.3m in height depending on ground level. To avoid any unacceptable overlooking to this property it has been agreed with the applicant and the adjoining owners of 2c Lagoon Road that a close boarded fence 2.4m in height be erected within the boundary of 5 Well Road to alleviate any potential overlooking or loss of privacy.

It is therefore recommended that the application be approved with a condition relating to the erection of the fence.

PAGHAM P/120/06/

Retention of existing decking abutting rear elevation.

5 Well Road
Pagham

RECOMMENDATION

Approve Conditions

1 A 2.4m close boarded fence to be erected on the rear south boundary of the site within months of the date of this permission. The fence as erected shall be maintained at a he of 2.4m in perpetuity.

Reason: To safeguard the amenities of nearby residents in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.