

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

REF NO: P/69/19/HH

LOCATION: 42 The Causeway
Pagham
PO21 4PG

PROPOSAL: Removal of boundary wall and erection of boundary fence at front of property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for the removal and erection of a fence to the southern elevation.
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RELEVANT SITE HISTORY

P/18/19/HH	Removal of porch & erection of single storey extension.	ApproveConditionally 11-04-19
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Pagham Parish Council

No objection but would like to see more planting to screen the fence to soften the visual impact.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Pagham Harbour Zone A

DEVELOPMENT PLAN POLICIES[Arun Local Plan 2011 - 2031:](#)

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

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.

Pagham has an emerging Neighbourhood Plan however none of the policies are relevant to this application.

It is noted the fence has already been constructed.

DESIGN AND VISUAL AMENITY

The property fronts the street scene and the fence runs along the southern elevation. Due to the siting of the property it is highly visible from east, south and western elevation.

The fence largely replaces an existing brick wall however it is slightly taller and has been re-positioned slightly. The existing brick wall retained a minimum of 2m to the adjacent footpath. The proposed fence retains between 2.3m to 3.2m as it runs along the footpath at an angle. The fence will be approximately 13m in length with the height of the boundary treatment also increasing by around 0.25m to 1.85m.

Whilst the installation of the fence alters the appearance of the property, it largely retains its existing siting which retains suitable separation to the footpath. Due to this, it is not considered to appear unduly dominant.

The area is predominately open in appearance however there are some examples of similar fences at 126 Church Way and 20 The Causeway with the properties located in a similar orientation to that of the host dwelling.

The boundary treatment is not considered to adversely impact upon the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed fence due to its siting is not considered to harm neighbouring amenity by way of overbearing, overshadowing, overlooking and accord with DDM1 of the Arun Local Plan.

SUMMARY

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

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 approved shall be carried out in accordance with the following approved plans
- Location, Block and Proposed Boundary Fence - Sheet 1a of 1.

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

- 2 **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.