APPLICATION REF: R/254/06

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Boundary wall to the front of the property, 22 The Bramblings, Rustington.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed boundary wall and wooden gates is approximately 21.4m in length and 1.75m (maximum) in height.
SITE AREA	Approximately 819 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	There is a general Tree Preservation Order which covers the tree on the front verge in front of the wall. However, the proposal does not affect the protected tree.
TREES	None affected by the application.
BOUNDARY TREATMENT	North side boundary has block construction wall + hedging over 4m in height, south side boundary has shrubs + hedging over 4m in height, rear east boundary has wall + hedging over 3m in height.
SITE CHARACTERISTICS	Detached dwelling with attached garage, conservatory on rear, dormer window and velux rooflights on rear. The dwelling has white rendered wall, white PVCu windows with a brown tiled roof.
CHARACTER OF LOCALITY	Residential area consisting of detached properties of various styles and designs.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
R/208/05	Proposed extensions to side and rear of existing property and conservatory.	Approved/Conditionally 05-10-2005.
R/45/06	Proposed alteration to conservatory previously approved under R/208/05.	Approved/Conditionally 22-03-2006.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Rustington Parish Council	No objection.
3 Letters of Objection	The wall and gates are too high and makes the property like a prison compound and is out of keeping with other properties in the immediate area and on the rest of the estate. The orange notice has been removed and is no longer on display as this notice has to be displayed until the 26th October, 2006 the time scale will have to be extended.

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Petition with 4 signatures.	The wall has already been built but a living boundary of that height would have looked a lot nicer. The wall is completely out of character with the general appearance of the frontages of the other properties in The Bramblings and on the Sea Estate as a whole.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None.	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Tree Preservation Order R/1/01 G6

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN2, GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

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

None.

COMMENT ON REPRESENTATIONS RECEIVED

It is considered that the wall is of an acceptable height and design and will not cause any detriment to the visual amenity of the area. The concerns are noted regarding the removal of the site notice, however planning law presumes that it has complied with its legal obligations where 'the notice is, without any fault or intention of the local planning authority, removed before the period of 21 days.

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

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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.

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

This is a retrospective application for the curved wall and wooden entrance gates on the front western boundary of the site which replaces a dwarf brick wall. The fence at the highest point of the curve measures approximately 1.75m and at the lowest point approximately 1.55m.

The wall is of an acceptable design and height and it is not considered that the wall will cause any detriment to the visual amenity of the area. There are other walls and fences in the vicinity over 1m in height and therefore the wall is not considered to be obtrusive in the street scene. It has been noted that the Pine tree on the grass verge at the front is covered by a Tree Preservation Order but the wall is set back behind the tree and it is not considered that the wall will cause any harm to this protected tree.

It is therefore recommended that the application be approved.

RUSTINGTON R/254/06/

Application for a boundary wall to the front of the property.

22 The Bramblings
Sea Estate
Rustington

RECOMMENDATION

Approve Conditions

1 This permission relates to the plans as submitted and amended by substitute plan dated 30th October, 2006.

Reason: For the avoidance of doubt.