

Parish: West Wittering	Ward: West Wittering
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WW/15/02020/FUL

Proposal Change of use of amenity land to garden land and erection of fencing.

Site 10 Windsor Drive West Wittering West Sussex PO20 8EG

Map Ref (E) 479527 (N) 97451

Applicant Mr Andrew Walter

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site comprises a corner plot situated to the east of Windsor Drive and south of Harrow Drive. It is situated within the settlement boundary of West Wittering and is located to the north of the East Wittering parade of shops.

2.2 The site comprises a semi-detached single storey bungalow set within a modest plot. It is set back from the road to the east and west, featuring an open, grassed lawn. To the rear there is a detached garage and a driveway leading onto Harrow Drive. The area is residential in character, with predominately single storey bungalows of a semi-detached or terrace nature, set back off the roadside.

3.0 The Proposal

3.1 The application seeks the change of use of a length of amenity land situated adjacent to the north of the property. A close boarded 1.8m timber boundary fence, with concrete posts would be erected 1.5m from the pedestrian footpath to the north, starting 4.5m from the front of the property and running the remainder of the length of the northern (side) boundary of the property, a distance of 13m. It would adjoin the existing boundary fence to the rear garden, alongside the driveway, which would be unaffected by the proposed development. An area of grass verge between the boundary fence and the footpath approximately 1 metres in width would be maintained.

4.0 History

14/04292/DOM

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Single storey rear extension (in place of demolished conservatory).

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

The Parish Council objects to this proposal. The WW VDS refers to the open character of the area and the spaces between properties. This proposal is detrimental to the overall character of the estate which is open plan. There is also concern that visibility will be compromised.

(Substitute Plans)

The Parish Council's objection to the precedent that this fence would cause and the consequent change to the character of the area should stand. This is an open plan estate and fencing would harm the existing character. Therefore the Council will not change its objection

6.2 Third Party Objections

2 no. objections raising the following concerns;

- a) Out of keeping with the character of the street scene,
- b) Loss of vegetation,
- c) Concern regarding visibility for traffic at the junction to Windsor Drive and Harrow Drive.

(Substitute Plans)

1 Third Party Objection raised regarding the following;

- a) Concerns remain regarding the choice of materials proposed;
- b) Would result in the loss of the open plan estate.

6.3 Applicants Supporting Information

Comments in response to the objections made:

1. The shrubs and bushes must have been in existence for many years - we found they were very well established when we came to remove them,
2. Presumably no adverse comments had been registered with your department from neighbouring properties or the Parish Council regarding visibility or the open aspect in the past?
3. The visibility at the junction for traffic will be improved by our proposals compared to before.

It appears to me that a precedent had been set by the planting by the previous owner of 10 Windsor Drive that was generally acceptable to the neighbourhood and we are trying to improve the prospects for what will otherwise be an unkempt and overgrown piece of land.

In addition, I would respectfully point out that there are many examples on the estate where the issues raised in the objections have already been varied.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for Chichester District comprises the Key Policies of the Chichester Local Plan Key Policies 2014-2029 and all adopted neighbourhood plans. There is no adopted neighbourhood plan for West Wittering at this time.

7.2 The Principle planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

National Policy and Guidance

7.5 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.6 Consideration should also be given to paragraph 17 (Core Planning Principles), 58, 60.

Other Local Policy and Guidance

7.8 The following Supplementary Planning Guidance and Interim Statements are material to the determination of this planning application:

West Wittering Village Design Statement

7.9 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

B1 - Managing a changing environment

D2 - Vibrant, safe and clean neighbourhoods

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development
- ii) Impact on character of the street scene
- iii) Highway safety

Assessment

- i) Principle of development

8.2 The application site lies within the settlement boundary of West Wittering and as such development of a residential nature is acceptable in principle where it accords with Policy 33 of the Local Plan. The grassed amenity land to the north of the property is owned by the applicant, but does not appear to be used for a specific purpose or activity, but rather is part of the overall landscaping scheme of the residential estate when it was initially developed. There are other examples of properties in the vicinity that have enclosed similar areas of land and are considered the principle of the development such as this has been established and now features part of the character of the area. The size, amount and prominence of other such enclosed land vary significantly and the acceptability of such a proposal is dependent as to the extent of land and the design and form of the boundary treatment.

- ii) Impact on character of the street scene

8.3 The immediate residential area is characterised by the open plan nature of the estate. Properties are set back from the roadside with grassed lawns, driveways and no boundary treatments between the highway and the front gardens. The third party and Parish comments have raised concerns about the introduction of a fence at the application site and the loss of this character. The initially submitted application proposed that the boundary treatment be located directly alongside the pedestrian footpath, however due to officer and consultee concerns raised this was set back by 1.5m. The set-back would result in a less prominent boundary feature and for an area of grass verge to remain.

8.4 Whilst the character of the area is open plan in nature, there are exceptions when it comes to properties that are located on corner plots. Many corner properties in the locality, including 1 and 7 Harrow Drive, 27 Windsor Drive and 1 Foxwarren Close, have extended the rear garden to the side of the property so that their garden boundary abuts the footpath. This now forms part of the character of the area and where sensitively set back does not adversely impact on the open plan nature of the estate. Whilst the proposal would introduce built form to the side of the property the set back from the front of the property and off of the north boundary to the site would result in the retention of a meaningful the grass verge. Such areas of soft landscaping cumulatively help to maintain the open plan nature of the area when viewed in the context of the street.

8.5 Boundary treatments in the area are predominately of brick construction although there are examples of timber fencing panels. The proposal seeks to erect a close boarded timber fence which, given the set back from the roadside, is an acceptable form of boundary treatment. Boundary treatments that are positioned directly adjacent to the metalled highway often generate an overtly urban character. In such instances a high quality brick wall is appropriate. Where a meaningful set-back is proposed fences can also be appropriate as

they are less prominent and may assist in softening the impact of the development. It is considered that for these reasons the use of a timber fence would be acceptable.

iii) Highway Safety

8.6 The boundary fence would be set back from the front of the property maintaining visibility splays at the junction to Windsor Drive and Harrow Drive. As the fence would be set back from the pedestrian footpath, it is considered there would be adequate visibility splays achieved for oncoming motorists and pedestrians. Overall it is not considered the proposal would result in any highway safety concerns.

Significant Conditions

8.7 In addition to the standard conditions it is considered proportionate to ensure the development is carried out in accordance to the fencing details provided.

Conclusion

8.8 Based on the above assessment it is considered the proposal complies with development plan policies 1, 33 and 39 and therefore the application is recommended for approval.

Human Rights

8.9 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

**RECOMMENDATION
PERMIT**

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|---|---------------------------------|
| 1 | A01F Time Limit - Full |
| 2 | B01G No Departure from Plans |
| 3 | U97592 U97592 - fencing details |

INFORMATIVES

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| 1 | W01F Disclaimer - Other Consents |
| 2 | W45F Application Approved Following Revisions |

For further information on this application please contact Caitlin Boddy on 01243 534734