

<b>App.No:</b> 150804 (HHH)	<b>Decision Due Date:</b> 9 October 2015	<b>Ward:</b> Sovereign
<b>Officer:</b> Toby Balcikonis	<b>Site visit date:</b> 7 August 2015	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> N/A		
<b>Neighbour Con Expiry:</b> 13 September 2015		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> The application is within date		
<b>Location:</b> 1 Samoa Way, Eastbourne		
<b>Proposal:</b> Retention of new boundary fence		
<b>Applicant:</b> Miss Carmen Bermudez		
<b>Recommendation:</b> Grant Permission		

### **Executive Summary**

Applicant seeks retrospective consent for the retention of boundary fence and enlarged side/rear garden.

Proposed boundary treatment does not result in any material/substantive harm to the appearance of the host site in particular and the surrounding area in particular.

Retrospective planning permission is recommended.

### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

C14: Sovereign Harbour Neighbourhood Policy  
D10A :Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development  
UHT4: Visual Amenity  
HO20: Residential Amenity  
US5: Tidal Flood Risk

### **Site Description:**

Semi-detached property/plot at the junction of Samoa Way and Pacific Drive. A new boundary fence has been erected along the side/rear boundary of the property running along the boundary with Pacific Drive.

The fence is timber in form with shiplap/close boarded appearance to a height of 1.5m with 0.3m trellis on top.

**Relevant Planning History:**

001330

Application for variation to Condition no. 1 of EB/1992/0048 (as amended 2 April 1992) to provide five years extension of time.

Planning Permission - Approved conditionally - 15/02/2001

950295

Proposed use of land for residential development comprising houses and flats and construction of north harbour.

Outline (some reserved) - Approved conditionally - 13/08/1997

980425

Erection of 99 houses with provision of children's play area - (approval of reserved matters).

Reserved Matters - Approved unconditionally - 22/02/1999

**Proposed development:**

Applicant seeks consent to retain boundary fence/trellis, 1.8m height and timber construction.

The applicant has outlined their justification for the boundary treatment and this relates to increased security, privacy and aesthetics, for these reasons the former low boundary fence/means of enclosure was considered insufficient and inadequate.

**Consultations:**

Sovereign Harbour Residents Association:- Object The original brick wall of similar height afforded more safety and security and privacy to the property and had been constructed to the original estate design and thus in keeping with the other walls around the development.

Neighbour Representations:

7 letters of consultation have been sent to neighbouring residential properties in conjunction with this application; the Council have had no neighbour responses to the consultation.

**Appraisal:**

Principle of development:

There is no objection in principle to home owners wishing to extend their properties/plots to meet their family needs/requirements. Any such change or resulting development should be designed to a high standard, and whose appearance would respect the character of the area.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity and Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

The siting/location of the proposed boundary treatment is such that it would not materially affect the amenities of the occupiers of the adjacent/nearby residential properties.

Design issues:

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Borough Plan state that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials, setting, alignment and layout.

The proposed design and appearance of the boundary treatment is such that it maintains the character and appearance of the host property in particular and the surrounding wider area in general. It is considered that from both the long and short range views of the site are not significantly affected by the application proposal. Given this it is considered that a refusal based on the design and appearance implications of the scheme could not be substantiated or sustained.

Other matters:

Given that there remains a significant highway verge (adequate visibility) it is considered that the proposed boundary treatment would not result in any material highway safety concerns.

**Human Rights Implications:**

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

**Conclusion:**

The development is not considered to result in any significant loss of residential amenity by way of impacts through loss of privacy, loss of light or overshadowing or by way of disturbance through noise and would be in-keeping with the host property and the character of the area and would therefore accords to policies UHT1, UHT4 and HO20 of the Saved Policies of the Eastbourne Borough Plan and Policies B1, B2, D10a of the Eastbourne Core Strategy Local Plan.

**Recommendation:**

Planning Permission be granted

**Conditions:**

None as retrospective

**Informatives**

N/A

**Appeal:**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.