

AGENDA ITEM NO 1
APPLICATION NO 4033/15
PROPOSAL Erection of close boarded timber fence to existing brick wall on highway boundary.
SITE LOCATION Eastview, Mill Lane, Woolpit IP30 9QX
SITE AREA (Ha) 0.023
APPLICANT Mrs J Storey
RECEIVED November 12, 2015
EXPIRY DATE January 8, 2016

REASONS FOR REFERENCE TO COMMITTEE

1. The application is referred to committee for the following reason:
 - The applicant is the Member for the Ward of Woolpit.

PRE-APPLICATION ADVICE

2. The fence which is the subject of the application before Members today formed part of an earlier scheme for an extension (reference 0973/15), but was removed from that application following objection from Suffolk County Highways as the case officer considered it prejudicial to the grant of planning permission for a scheme that was otherwise considered acceptable. The applicant subsequently discussed the fence with your Enforcement and Heritage Enabling officers.

SITE AND SURROUNDINGS

3. Eastview is a two-storey detached dwelling within the Woolpit Conservation Area. The dwelling was originally two cottages and dates from around the mid-1800s. It is finished with rough-cast render to the external walls and clay pantiles to the roof, and has a single-storey extension to the front elevation which was granted permission in May 2015 under reference 0973/15. The property has other additions including a single-storey flat-roofed extension to the north elevation, and a pitched-roof single storey extension to the south. The dwelling has an area of garden to the front facing onto Mill Lane (and bounded by a low brick wall and the fence the subject of the current application), however this is the only private amenity space as the property has no rear garden. There is an off-road parking area and single detached garage at the south-west end of the site, with a further parking space in front of the front door to the north-east end. The remainder of the garden is laid to grass with borders.

Mill Lane is an unclassified highway (U4943) which runs from Heath Road to Green Road at a point just south of the village centre. Development along Mill Lane is largely residential, with a mix of private and Local Authority development. It also serves the Primary School which is close to the junction with Heath Road, and the Village Hall the entrance to which is approximately 22m from the application site. Mill Lane is signposted as being 'Unsuitable for Heavy Goods Vehicles' at its junction with Heath Road, and although of sufficient width to allow two vehicles to pass for the majority of its length, is only wide enough for a single vehicle from its junction with Green Road (the 'village centre end' of Mill Lane) to the Village Hall. This narrower section of Mill Lane includes the application site.

HISTORY

4. The following planning history is relevant to the application site:

0973/15	Erection of single storey front extension (following demolition of existing 2no. front porches).	P e r m i s s i o n	1/05/15
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PROPOSAL

5. The application seeks planning permission for the erection of a fence on top of an existing brick wall, and is made retrospectively for development already carried out. The brick wall is approximately 800mm tall, and the new fence erected on top of that wall measures approximately 900mm, making approximately 1700mm in total. The garden land within the application site is slightly higher than the adjacent highway, nevertheless the fence is more than 1m above the higher of the two levels (the garden and the highway) and being adjacent to the highway requires planning permission.

POLICY

6. **Planning Policy and Guidance** – See Appendix below.

CONSULTATIONS

7. **Woolpit Parish Council** – Objects. Consider the proposal does not conserve or enhance the character and appearance of the surroundings and the Conservation Area, contrary to policies GP1, HB1, HB8 and Cor5 (CS5)

Suffolk County Council (Highways) – Recommends that permission be refused. Notes the fence was originally included as part of application MS/0973/15 and recommended for refusal by SCC Highways due to highway safety concerns. The fence restricts visibility at the vehicular

access to a level they consider sub-standard and detrimental to highway safety.

MSDC Heritage – No response received.

LOCAL AND THIRD PARTY REPRESENTATIONS

8. The following is a summary of the representations received.
- No local or other third party representations were received;

ASSESSMENT

9. The proposal is considered to raise the following core planning issues:

Principle of development

As a householder development in the Woolpit conservation area the proposal falls to be assessed primarily under Local Plan policies GP1, SB2, HB8, HB1 and T10, Core Strategy policies CS5, FC1 and FC1.1, the National Planning Policy Framework and other material considerations.

The applicant has two dogs and wishes to provide a secure area in which they can be kept, in addition to providing enhanced personal privacy and security. An applicant's personal circumstances are generally not material planning considerations in the assessment of an application for planning permission, however privacy and security can be. The weight to be accorded to any particular material consideration is a matter for the decision maker.

Residential Amenity

The fence is not considered to result in an oppressive outlook for the occupiers of dwellings in the vicinity, nor would it restrict light. Your officers are therefore content that the fence is not materially harmful to the amenities of the occupiers of any dwelling in the vicinity of the site, and that it accords with policies GP1 and SB2 in this respect.

Effect on the character of the conservation area

The Council has a duty under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to seek to preserve or enhance the character or appearance of a conservation area when considering development within such areas.

Although there is no specific reference to Mill Lane or boundary treatments in the Woolpit Conservation Area Appraisal, the narrow width of the highway and proximity of built form on both sides helps retain the

intimate feel of the centre of the village referred to in that document. Nevertheless, boundary treatment in the vicinity of the application site typically takes the form of brick walls, picket fences or the side elevations of dwellings themselves. In this respect the close-boarded fence for which permission is sought is not considered characteristic of the locality and fails to preserve or enhance the Conservation Area. As such the proposal is considered contrary to policies GP1, SB2 and HB8 of the Mid Suffolk Local Plan. Notwithstanding any views expressed in pre-application discussions and correspondence which is offered on a without prejudice basis, your officers do not consider that painting the fence would materially alter the character or appearance of the fence to an extent where they would be able to support the proposal in this respect.

Effect on the setting of listed buildings

The centre of Woolpit (particularly along The Street) has numerous listed buildings on both sides of the highway, the most significant of which is the Grade I listed St Mary's Church located approximately 135m north of the application site. Despite being only some 28m from two grade II listed buildings (Mullions and Mill Farm) close to the junction of Mill Lane and The Street the application site is largely screened by other development, and there are few locations where listed buildings can be viewed in conjunction with the application site. Although harm to the 'setting' of a listed building should not be assessed exclusively through inter-visibility (between the listed building and the subject site), your officers are satisfied that there is such limited inter-visibility that the fence does not materially affect the setting of any listed buildings, nor does it affect the way those listed buildings are otherwise experienced. In this respect the proposal is considered to accord with Local Plan policy HB1, and the NPPF as it relates to the protection of listed buildings as designated heritage assets.

Highway Safety

Due to its proximity to the public highway the fence restricts visibility when leaving the site. Visibility is restricted towards the village centre (to the north-west) at the southern access adjacent to the garage, and restricted to the south-east (towards the Village Hall) when leaving the site from the northern access. Suffolk County Council (SCC) Highway officers estimate the fence limits visibility to 5.5m measured at a setback of 2.4m from the edge of the highway. Allowing for vehicles typically travelling at 15 miles per hour in this particular location SCC Highway officers would expect clear visibility of 17 metres, in accordance with the Manual for Streets. Notwithstanding that an older small section of close-boarded fence (stained brown) already restricts visibility towards the village centre at the northern access, that a section of brick wall at 'Woodstock' immediately to the south restricts visibility towards the Village Hall, and that other dwellings in the locality also have sub-standard accesses your officers cannot make a favourable recommendation in respect of an application that would result in further degradation of visibility and potentially on

highway safety.

Protected Species and Biodiversity

The site is laid to lawn, tended gardens and hardstanding, and the proposal would not be, or have been, anticipated to cause any harm to protected species or their habitat.

Summary

This is a minor proposal however the fence raises potential highway safety issues and has attracted a recommendation of refusal from the Highway Authority. Notwithstanding that they would be anticipated to be travelling at relatively low speed in the vicinity of the application site, drivers of vehicles travelling along Mill Lane would have little warning of a vehicle leaving the site and the driver of that vehicle would have little warning of vehicles approaching along Mill Lane. Whilst it is acknowledged vehicular access at the site was sub-standard prior to the fence being erected, and that other dwellings along this section of Mill Lane also have sub-standard accesses, your officers are unable to support a further restriction on access visibility. Similarly, for the reasons given above in respect of the effect on the character and appearance of the Conservation Area your officers cannot support the proposal.

RECOMMENDATION

REFUSE PLANNING PERMISSION for the following reasons:

- Detrimental to highway safety by further limiting visibility along Mill Lane, contrary to Local Plan policy T10;
- Detrimental to the character and appearance of the Conservation Area, contrary to Local Plan policy HB8.

Philip Isbell
Corporate Manager - Development Management

Adrian Matthews
Development Management
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
Cor5 - CS5 Mid Suffolks Environment

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2. **Mid Suffolk Local Plan**

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS

HB1 - PROTECTION OF HISTORIC BUILDINGS

T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

3. **Planning Policy Statements, Circulars & Other policy**

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application: