

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE A - 09 November 2016

AGENDA ITEM NO 2
APPLICATION NO 3570/16
PROPOSAL Retention of existing close boarded fence. Erection of amended fence line at 1.58m high (following partial removal of existing fence)
SITE LOCATION Eastview, Mill Lane, Woolpit IP30 9QX
SITE AREA (Ha)
APPLICANT Mrs J Storey
RECEIVED August 22, 2016
EXPIRY DATE November 4, 2016

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

- The applicant is a Ward Member

PRE-APPLICATION ADVICE

1. Following refusal of a previous application the applicant has contacted Development Management to discuss options.

SITE AND SURROUNDINGS

2. Eastview is a detached two storey cottage within the Woolpit Conservation Area. There are Listed Buildings to the north west of the cottage.

The cottage has a garden to the front of the property which includes a detached garage to the south of the dwelling with off-road parking to the front of the garage and also in the north corner of the site. The front garden is the only garden of the cottage and therefore the only private amenity space. There is a low brick wall along the highway frontage between the two parking areas.

HISTORY

3. The planning history relevant to the application site is:

4033/15	Erection of close boarded timber fence to existing brick wall on highway boundary (retrospective application for development already carried out).	Refused 05/01/2016
0973/15	Erection of single storey front extension (following demolition of existing 2no. front porches).	Granted 01/05/2015

PROPOSAL

4. The planning application seeks the retention of an existing close boarded fence, with a short section realigned, all at 1.58m high.

As a householder application for the erection of a fence the proposal is assessed against Local Plan policies GP1, SB2, HB1, HB8, H15, H16, T10 and Core Strategy policies CS5, FC1 and FC1.1 and the NPPF.

POLICY

5. **Planning Policy Guidance** - See Appendix below.

CONSULTATIONS

6. **Woolpit Parish Council** - Support

MSDC Heritage - Less than substantial harm to a designated heritage asset because the erection of close boarded fencing is an incongruous, suburban feature which is inappropriate for the Woolpit Conservation Area. The Heritage Team recommends that the scheme is revised to remove the close boarded fencing and utilise a more 'open' form of boundary treatment, such as railings or hedging.

SCC Highways - any means of frontage enclosure shall be set back 2.4m from the edge of the carriageway of the adjacent highway.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. No local or third party representations have been received for this proposal.

ASSESSMENT

8. Background

This application is a re-submission of a previously refused application (4033/15) for the retention of a close boarded fence attached to the brick wall on the highway boundary. The Planning Officer recommended the previous application for refusal for two 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

The Planning Committee refused the application solely on highway safety grounds. A copy of the decision notice is included in the committee papers.

This re-submission has sought to address the highway safety issues.

Heritage Issues

The Heritage Team did not comment on the previous application. However,

following an enforcement enquiry prior to the 2015 application, the Corporate Manager for Heritage was consulted on the fence. His view was that the fence was acceptable but would benefit from being stained to correspond with similar fences in the area. He also felt that the pedestrian visibility splays were not achievable with the fence in its existing form.

In their response to the current application they have stated that the close boarded fence is not a suitable form of enclosure in a Conservation Area. However, the property directly opposite the application site, Emu Cottage, has been granted planning permission for a 1.8m timber weave fence in recent months. The fence at Emu Cottage is higher (1.8m) than the existing fence at Eastview (1.58m). The Heritage Team did not raise an objection to the fence at Emu Cottage.

A close boarded fence in a Conservation Area is not normally considered to be a suitable form of enclosure in a highly visible public area. However, in this particular case there are existing fences of a similar type and height very close to the application site.

Highway Safety

The comments of the highways engineer on the previous application stated that a visibility splay of 2.4m x 17m would be appropriate in the circumstances. The re-submission includes a block plan showing the repositioning of the fence in the south east corner of the plot giving better visibility of Mill Lane in a north western direction. Although the submitted block plan does not show full 17m visibility, it is achievable within land controlled by the applicant.

The comments from the Highways on this application require a condition for the fence to be moved back in the plot by 2.4m from the edge of the highway. This is considered to be unreasonable because under permitted development rights the applicant could erect a 1.8m fence without having to seek planning permission if it were sited behind the existing wall.

Residential Amenity

The fence is to the front of the dwelling fronting a highway and is 1.58m in height. A fence of 1.8m is generally considered to be an appropriate height to give privacy to the occupiers of a dwelling allowing for private amenity space without causing a nuisance to neighbouring properties. The fence is not directly on any boundaries with neighbouring properties and therefore is not considered to cause a loss of residential amenity.

Conclusion

The reason for refusal of the previous application has been addressed with the repositioning of the fence to give clear visibility of up to 17m. This is an improvement to highway safety.

This type of fence is not considered to be ideal for a Conservation Area but because there is a higher, more prominent fence directly opposite it would be difficult to refuse the fence at Eastview on heritage grounds.

RECOMMENDATION

That Full Planning Permission be granted with the following conditions:

- Approved documents.
- Visibility splay of 2.4m x 17min a north-westerly direction.
- Fence to be stained

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Samantha Summers
Planning Officer

APPENDIX A - PLANNING POLICIES**1. Mid Suffolk Local Plan**

T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

APPENDIX B - NEIGHBOUR REPRESENTATIONS

No letter of representation have been received