

| | |
|---|---|
| APPLICATION NO | PA/2017/904 |
| APPLICANT | Mr & Mrs Simon Smith |
| DEVELOPMENT | Planning permission to retain 1.85 metre high boundary fencing |
| LOCATION | 8 Pembroke Avenue, Bottesford, DN16 3LN |
| PARISH | Bottesford |
| WARD | Bottesford |
| CASE OFFICER | Leanne Pogson-Wray |
| SUMMARY RECOMMENDATION | Refuse permission |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Margaret Armiger – significant public interest Officer discretion – significant public interest |

POLICIES

National Planning Policy Framework: Paragraph 14 states that 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.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

North Lincolnshire Local Plan: Policies DS1 and DS5 apply.

North Lincolnshire Core Strategy: Policy CS5 applies.

CONSULTATIONS

Highways: No objections.

TOWN COUNCIL

No objections raised to original proposal. Upon submission of amended plans, general comments 'will leave decision to NLC but concerned regarding number of objections received and asked that those objections are taken into account'.

PUBLICITY

A site notice was posted close to the site. Letters of objection from 12 neighbours have been received together with letters of support from five neighbours. Objections have been received on the following material grounds:

- blocks highway visibility/impact on highway safety

- adverse visual impact
- out of character with the rest of the estate
- feeling of being blocked in
- overshadowing.

The following comments have been received in respect of the amended plans:

- whilst there is some improvement, more panels should be reduced and tapered
- the compromise is not enough and the fence is still too high
- 'approximate' measurements are too vague – should be maximum measurements
- The reduction would not alleviate highway concerns
- not clear whether post heights would also be reduced.

The following points have been raised in support of the application:

- enhances corner plot
- other corner plots have high fences
- previously 15ft high conifers along boundary
- a number of other similar fences in the vicinity.

ASSESSMENT

The application property is an extended semi-detached house on a corner plot. The dwelling has two principal elevations, with the front elevation facing onto Pembroke Avenue and the adjoining semi fronting onto Newnham Crescent. The property is fronted by a low concrete block wall with castellated top which is common to the area. A 1.85 metre high light brown fence (approx.) has been erected behind the boundary wall. The fence is sited between the semi-detached properties, across the frontage of Newnham Crescent, following the line of the boundary around the corner, back to the corner of the front of the dwelling. This encloses the garden area, giving private amenity space to the occupiers of the dwelling.

Following a meeting with the applicant and agent, amended plans were received proposing to reduce the height of the three panels fronting Newnham Crescent to 1350 millimetres (approx.), one panel between the semi-detached properties to this height and one tapered panel.

The main issues in determining this application are whether the fence would have an adverse visual impact on the character of the area, or an adverse impact on the amenity of the neighbouring property or on highway safety.

With regard to highway safety and visibility, there is a very wide visibility splay at this junction. The footpath is also very wide in this location. Whilst it is accepted that the

erection of a fence would reduce visibility compared to what would have previously been experienced, there is no loss of visibility for users of the highway and the fence does not cause any disruption or hazard to users of the footpath or the highway. Highways have been consulted and have visited the site. They raise no objections or concerns regarding the fence in terms of highway safety.

The fence, as erected, was considered to be unacceptable in terms of its visual impact on the street scene. The total height of the fence, its expanse around the property and the existing colour would detract from both the character of the area and that of the existing property. Discussions were held with the agent requesting a reduction in height of six panels. As this was not considered feasible due to site features and use of the garden, further negotiations took place on site. Amended plans were submitted for the reduction of four full panels and one tapered panel, together with an agreement to paint the panels in a grey colour to match the wall and weathered fences in the vicinity. However, after further consideration, it is not considered that this is sufficient and all panels should be reduced in height.

The agent has submitted evidence of similar fences, of similar heights, around corner plots in the local area. Whilst there are many instances of corner plots bounded by fences of similar height, these fences are not fully enclosing the property as this application seeks to do. Each case should be judged on its own merits and in this instance the fence is considered to have an adverse visual impact on the street scene and character of the area.

Concerns have been raised by the adjoining property regarding overshadowing/feeling of being blocked in. It should be noted that the first part panel and full panel between these properties, adjoining the house, would be permitted development up to 2 metres in height. As such, it cannot be insisted that these panels are reduced in height.

Numerous comments have been made regarding the use of 'approx.' in measurements used within the application. There are differences in land levels within the site and this is why approx. has been used. Whilst the officer has not measured all the panels on site, it is thought that the dimensions given are the maximum measurements when measured from within the application site.

Whilst compromises have been made with regard to the fence and improvements which can be made to the visual appearance of it, it is not considered that the proposals would alleviate concerns regarding the visual impact on the character of the area and street scene, particularly as the fence is in a relatively prominent location. Further reductions in height would therefore be necessary for the fence to be considered acceptable to the local planning authority.

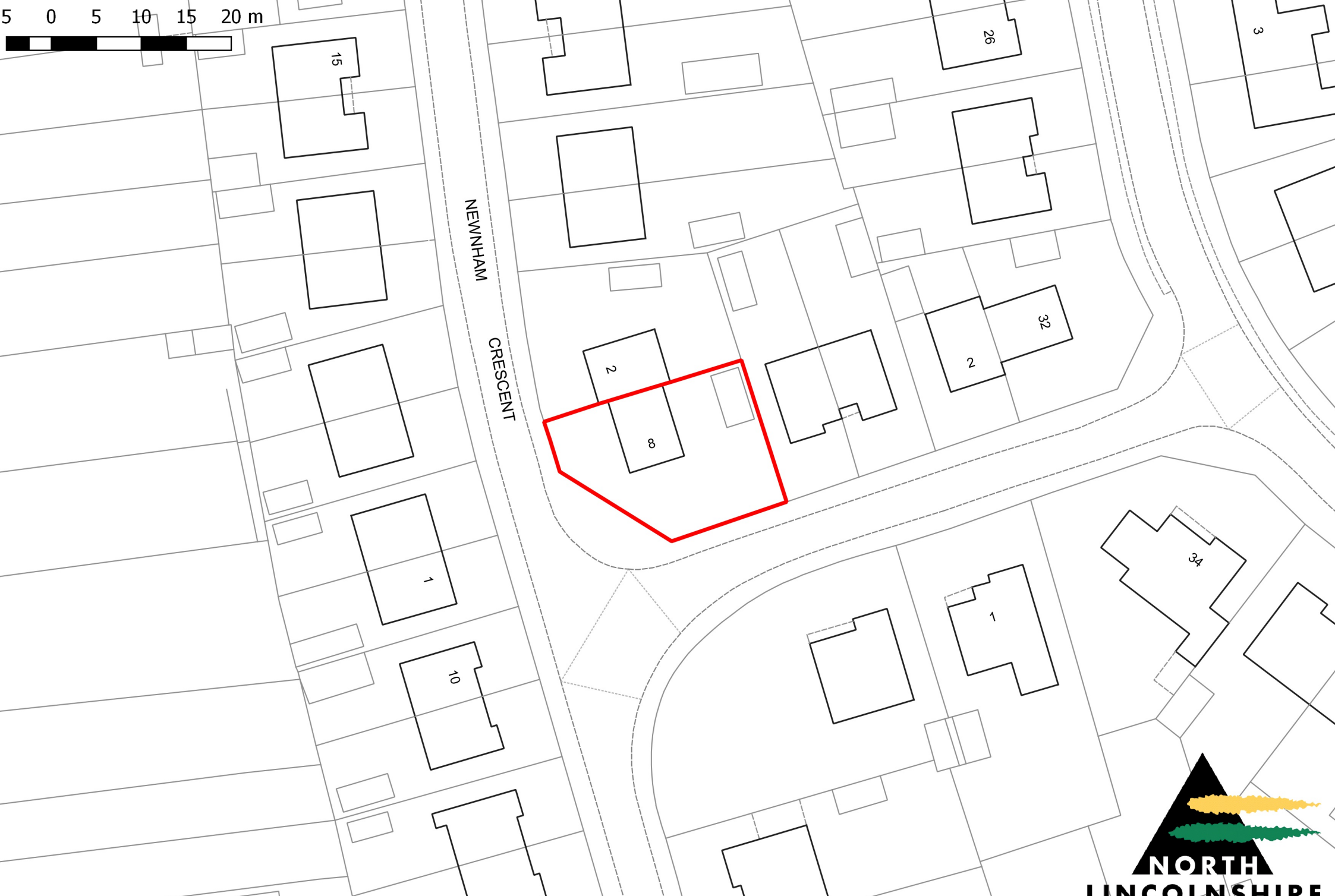
RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed fence, by virtue of its height and location, would have an adverse visual impact on the street scene and would detract from the character and amenity of the area. The proposal would be out of keeping with the locality and is contrary to policies DS1 of the North Lincolnshire Local Plan, CS5 of the North Lincolnshire Core Strategy and the relevant paragraphs of the National Planning Policy Framework.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



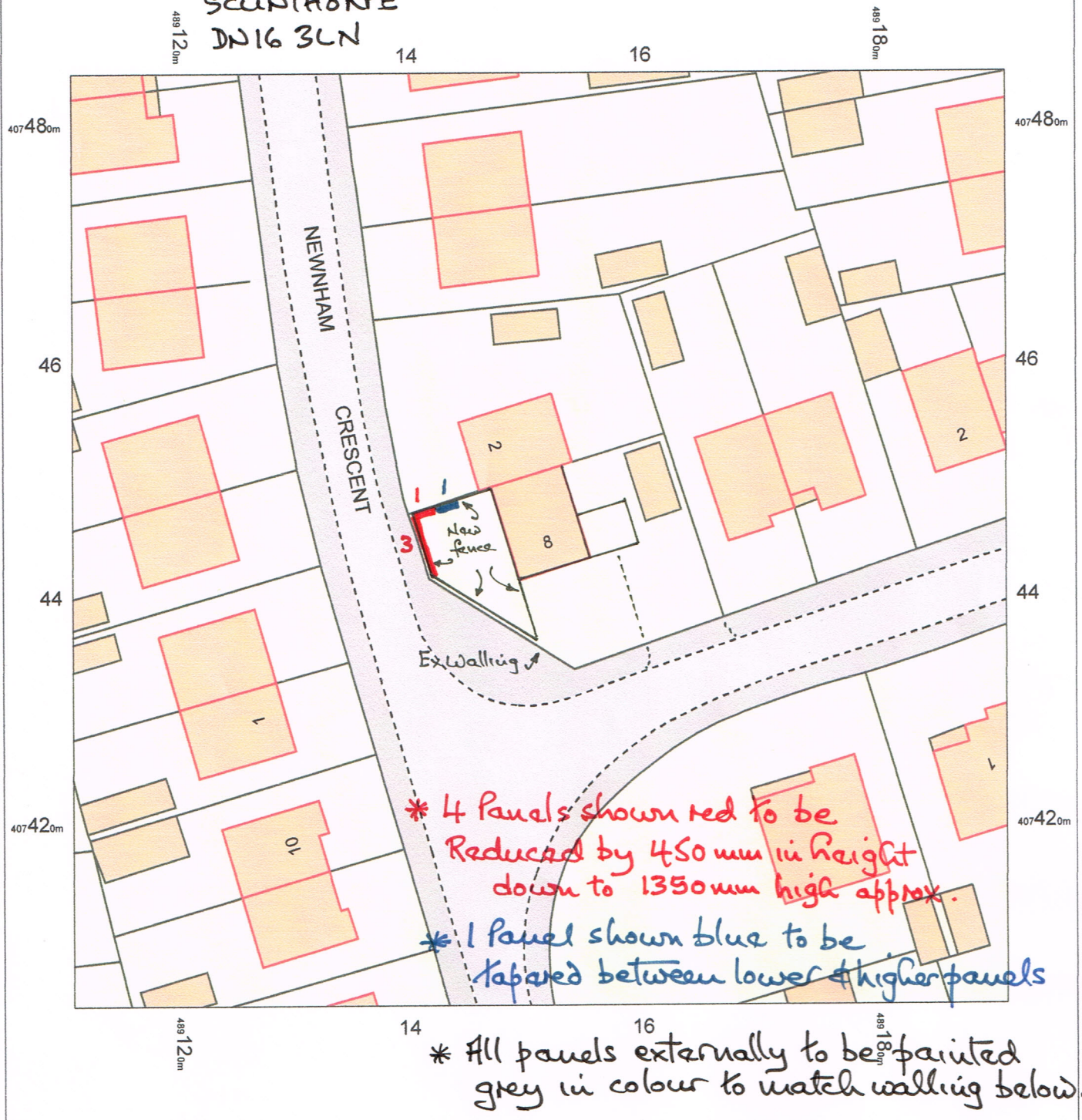
PA/2017/904



Pembroke Avenue

MR & MRS S. SMITH
8 PEMBROKE AVENUE
BOTTFESFORD
SCUNTHORPE
DN16 3LN

PA/2017/904 - Block Plan - Not to scale



"PROPOSED BLOCK PLAN"

DRG. NO. SS/17/03 (REVISED)

AMENDED