

Application Number 07/2018/8406/HOH

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Lostock Hall
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Lancashire
PR5 5UW

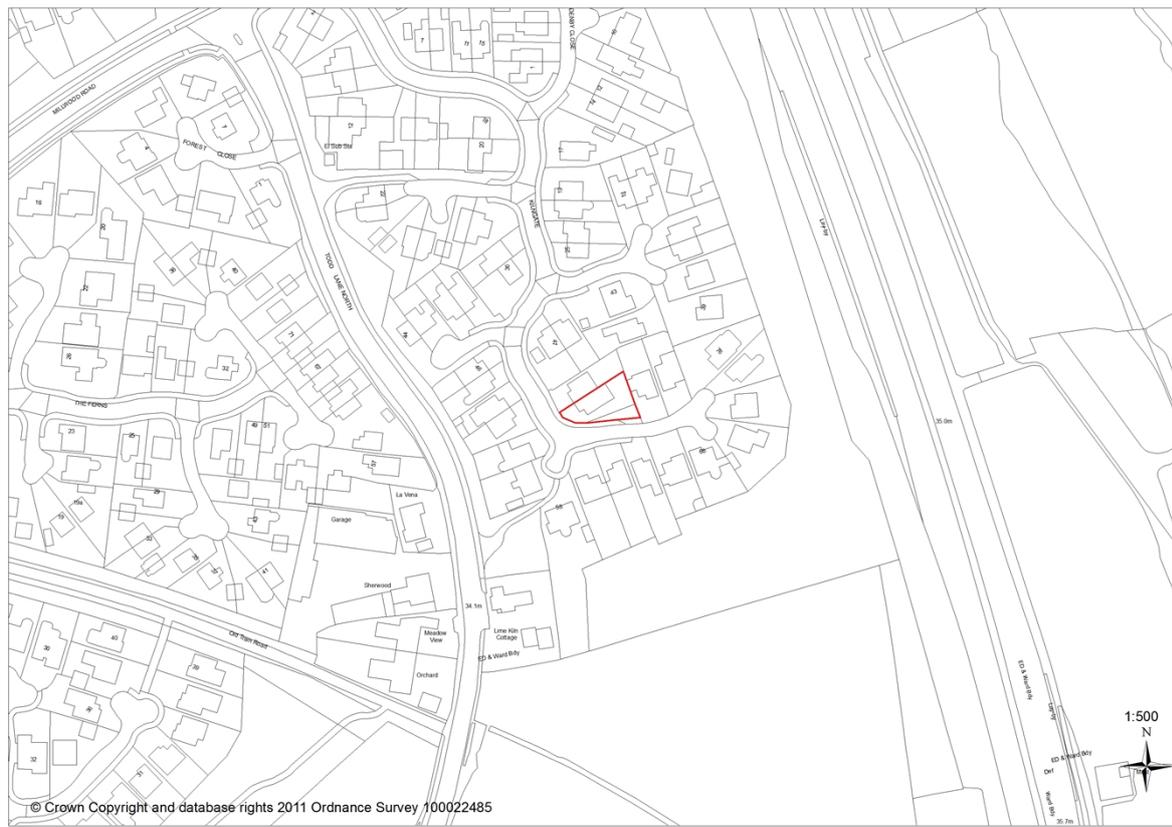
Natalie Worden

Applicant

Development Erection of 1.8m high boundary fence to side and part rear in new position

Officer Recommendation Approval with Conditions
Officer Name Mrs Linda Ashcroft

Date application valid 22.01.2019
Target Determination Date 19.03.2019
Extension of Time



1. Introduction

1.1 This application is brought before Committee at the request of a Ward Councillor.

2. Report Summary

2.1 The application proposes the erection of a 1.8m high boundary fence to the side and part of the rear in a new position.

2.2 The scale, siting and appearance of the proposal complies with the relevant policies of the South Ribble Local Plan and the Residential Extensions SPD and is recommended for approval subject to the imposition of conditions.

3. Application Site and Surrounding Area

3.1 The application property is a semi-detached dwellinghouse situated on a corner position within a large residential estate consisting of a mix of house types.

4. Planning History

4.1 There is no planning history to report.

5. Proposal

5.1 Planning permission is sought for the erection of a 1.8m high timber fence to the side (south) and to part of the rear (east). The application also involves relocating the boundary fence to southern boundary of the property which is land within the applicant's ownership and will abut a 2m service verge.

5.2 The new fence line will run for a length of 11.4m with the width ranging from 2.88m (as per existing) towards the front and an additional 4m in width at the rear.

5.3 The majority of the existing fence panels will be re-used.

6. Representations

6.1 Neighbour Consultation

6.1.1 Seven letters were sent out to neighbouring properties with 6 (two from the same person) letters of representation being received objecting for the following reasons:

- Covenant in Deeds restricting erection of fences, walls or hedges;
- Sightlines should not be obscured;
- Reversing onto the street from drive would be hazardous due to not being able to see oncoming vehicles;
- Extremely dangerous for small children who play in this Close and possibly being run over through poor visibility;
- Will restrict view children have on the street of any oncoming vehicles;
- Fence will close off the 'open view' front of properties in the estate;
- Fence would be directly up to the road edge;
- Could impact selling my property;
- Will create a closed in effect and add to the already claustrophobic feel of the cul de sac;
- Neighbour will have half of the view from his front window removed and replaced by a fence;
- Application should be rejected at the first opportunity;

- Would look unsightly;
- Would remove the already minimal area of green land in the area that is left;
- Question whether the highways department actually visit the site;

6.2 Statutory Consultee Responses

6.2.1 Lancashire County Council Highways have commented as follows:

“As shown on the applicants submitted drawing a lighting column is located adjacent to the proposed fence. The lighting column is located to the rear of the 2m wide adopted service verge, which runs adjacent to the carriageway. It is unclear from the drawing if the proposed location of the fence is totally outside of the adopted verge.

LCC Highways would have no objection to the proposed fence as long as it is located behind the lighting column and the 2m wide adopted service verge.”

6.2.2 Amended plans have been received following which LCC Highway’s further views have been sought. At the time of writing the report, no further comments have been received.

7. Policy Considerations

7.1 The site is allocated as Existing Built-Up Area under Policy B1 in the South Ribble Local Plan. Policy B1 allows for development provided, amongst other things, it complies with the requirements for parking, is in keeping with the character and appearance of the area and will not adversely affect the amenities of nearby residents.

7.2 Local Plan Policy G17 (Design of New buildings) permits development, amongst other things, that does not have a detrimental impact on the street scene by virtue of its height, proximity or use of materials and should not prejudice highway safety, pedestrian safety or the free flow of traffic.

7.3 The Residential Extensions Supplementary Planning Document advises that care must be taken to ensure that the proposed materials and detailing respond to any inherent characteristics found on existing walls/fencing and should ensure that these do not harm the street scene or cause detriment to the amenities of neighbours.

7.4 The Residential Extensions SPD also states that in respect of open plan estates, the erection of walls and fences at the front of the property is unlikely to be acceptable. The character of such estates is derived from the open, landscaped environment and physical barriers will significantly detract from that character. Development that would obstruct visibility for highway purposes, or would otherwise cause highway danger, will also be unacceptable.

8. Material Considerations

8.1 Amended plans have been received as those submitted were inaccurate with insufficient detail to fully assess the proposal.

8.2 Response to Representations

8.2.1 Covenants in Deeds are private matters and are not enforced by the Local Planning Authority.

- 8.2.2 In respect of highway safety issues, Lancashire County Council Highways have not raised any concerns in respect of sightlines and pedestrian safety.
- 8.2.3 Concerns relating to the character and appearance and the loss of green land will be dealt with under sub-heading Character/Appearance.
- 8.2.4 Saleability/value of adjacent dwellings is not a material planning consideration.

8.3 Relationship to Neighbours

- 8.3.1 The dwelling to the rear at No. 53 is set at right angles to the application property with the extended fence line to the rear abutting up to the common boundary. The garage at No. 53 has been converted into additional living accommodation and the majority of the frontage has been surfaced in tarmac. The element adjacent this property is set 2m from the adopted highway and therefore permitted development.
- 8.3.2 The dwellings to the south are set some 15m away and will have direct views of the fence line; on average the fence will be set some 2.5m closer to these properties.

8.4 Character/Appearance

- 8.4.1 The character of the estate is open plan but there are properties which are situated on corner positions which have 1.8m high timber fences which abut the pavement.
- 8.4.2 The land immediately to the south of the existing fence line is within the ownership of the applicants up to the adopted highway/service verge and is therefore maintainable by the owners/occupier and is therefore not considered to be open space for use by residents of the estate.
- 8.4.3 To the south of the application property is a 2m wide pavement which reduces in width towards the east where it meets a 2m wide service verge.
- 8.4.4 The front element of the fence will remain a similar width and will follow the line of the pavement and the 2m wide service strip.
- 8.4.5 It is therefore considered that the height, proximity and materials to be used will not have a detrimental impact upon the character and appearance of the area.

8.5 Highway Issues

- 8.5.1 Lancashire County Council Highways have raised no highway safety issues and have no objection to the proposed fence provided it is located behind the lighting column and the 2m wide adopted service verge.

9. Other Considerations

- 9.1 The applicant owns the land up to the 2m adopted service verge and although a length of some 4.4m of fencing will abut a 2m wide pavement, a length of 3.8m towards the eastern boundary will be set 2m from the edge of the highway; this element is therefore 'permitted development'.

10 Conclusion

- 10.1 The eastern portion of the fence where it meets the adopted service verge is permitted development. Due to height, proximity and materials to be used, which in the main will be the existing timber panels, it is considered the proposal will not have

a detrimental impact upon the character and appearance of the area or highway safety nor will it appear overbearing when viewed from the dwellings to the south. The proposal complies with Policies B1 and G17 in the South Ribble Local Plan and the Residential Extensions SPD and is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg 02.
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

RELEVANT POLICY

- | | |
|---------------|---------------------------------------------------------------|
| 17 | Design of New Buildings (Core Strategy Policy) |
| POLB1 | Existing Built-Up Areas |
| POLG17 | Design Criteria for New Development |
| RES | Residential Extensions Supplementary Planning Document |

Note:
