

Item No: 15

Reference: B/07/01701/FHA

Parish: GLEMSFORD

Location: 1 Orchard Way

Proposal: Retention of a side boundary fence

Applicant: Mr. P. W. De'Ath

Case Officer: Ben Woolnough

Date for Determination: 22 December 2007

This application is referred to Committee at the request of the local member.

THE SITE

1. No. 1 Orchard Way is a detached two storey dwelling situated on the corner of a Cul-de-sac outside of the Glemsford Conservation Area. The surrounding dwellings are all two storey detached or semi detached and front onto Orchard Way. No. 1 differs in the fact that it fronts onto Orchard Way but also has its side garden adjacent to the road.

THE PROPOSAL

2. The application seeks to retain a side boundary fence which is adjacent to the highway. The fence is a maximum of 2 metres above ground level and of feather-board treated wood. It is mounted above an existing dwarf brick wall and surrounds the private side garden of the dwelling.

RELEVANT HISTORY

3. There is no relevant history for this application.

NATIONAL GUIDANCE

4. PPS1 – Delivering Sustainable Development.

PLANNING POLICIES

The following Development Plan policies are applicable to the proposal:

5. Babergh Local Plan Alteration No. 2 (2006) - Policy CN01

This report only includes policy references. For further details please see Page 4.

OBSERVATIONS

- 6. PC – No objection.
- 7. LHA – No objection.

REPRESENTATIONS

- 8. One letter of objection has been received which has been signed by a further four residents in Orchard Way. The letter makes the following points:
 - It represents a dominant feature out of keeping with the surroundings.
 - It reduces visibility and contributes to a safety hazard.
 - It could set a precedent for similar fences.

PLANNING CONSIDERATIONS

- 9. The relevant policy in this case is CN01, which provides that planning permission will be granted to development of an appropriate scale, form and relationship with the nature of adjacent development and the surrounding environment.
- 10. It has been established that the fence does not represent a hazard to highway safety, there is no loss of amenity to any of the neighbouring dwellings. The main consideration must therefore be one of impact upon the street scene. The side garden of this dwelling does not represent a public view and a practical screen to this site should reasonably be allowed.
- 11. The fence replaces a hedge which previously screened the site and although no other similar fences front the highway in this road the fence is of a character and form associated with a sub-urban location. Although the open plan nature of Orchard Way is mentioned in the letter of objection and appreciated, the open plan form relates to the frontages of dwelling. The case here is that the fence represents an enclosure to the side of a dwelling not its frontage. Only one other property within the cul-de-sac exists in this situation.
- 12. The fence as it exists is not considered of detriment to the street scene when balanced with the requirement of a screen to this side boundary and is acceptable.

REASON FOR APPROVAL

The proposal is in accordance with policy CN01 of the Babergh Local Plan Alteration No. 2 (2006) by reason of its scale, design and materials in relationship with the street scene and surrounding dwellings. The proposal is not detrimental to the appearance of Orchard Way nor does it reduce the level of amenity enjoyed by neighbouring occupants.

RECOMMENDATION

Recommend approval.

DECISION

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