

Planning Committee: 27 January 2010

Item Number: 15

Application No: W 09 / 1474

Registration Date: 15/12/09

Town/Parish Council: Barford

Expiry Date: 09/02/10

Case Officer: Liz Galloway

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Greenacres, 34 Bridge Street, Barford, Warwick, CV35 8EH

Erection of timber fence to the boundary of property fronting the highway
(Retrospective Application) FOR Mr Locker

This application is being presented to Committee due to an objection from the Parish Council having been received.

SUMMARY OF REPRESENTATIONS

The Barford, Sherbourne and Wasperton Joint Parish Council: *objects to this application.*

- 1. The fence is unsightly and over the permitted height for fences next to a highway.*
- 2. Its construction impedes the views once enjoyed by the resident of Barford*

The Joint Parish Council draws to the attention of Warwick District Council:

- 1. Trees have been felled at this address without reference to the JPC.*
- 2. The drawings with the application were inadequate. The fence was shown as a line on a plan with no supporting drawings to illustrate its height or design.*

1 public response (The Cottage, Mill Lane); *rejects on grounds of design and out of character, too high within close proximity to pavement; interferes with view, erected within a Conservation Area and abuts the historic old river bridge.*

RELEVANT POLICIES

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- Barford Village Design Statement (September 2009)

PLANNING HISTORY

W74/0151 - Granted for extension to dwelling

KEY ISSUES

The Site and its Location

The application property is a detached bungalow which lies on the entrance to Barford Village, to the South East of Barford Bridge and is located to the East of Bridge Street.

Details of the Development

The applicant has erected a 1.6 metre high timber palisade boarded fence adjacent to the highway with vehicle entrance gates and public entrance gate which are set back 5.2 metres from the public footpath.

Assessment

The principal issues are the impact on the street scene, within the Conservation Area, and the impact on the setting of the adjacent Listed Bridge.

The timber palisade fence to the front of 34 Bridge Street is visible within the street scene, however, the fence will remain a natural colour (not stained or painted) and is of a simple design which , in my opinion, does not adversely impact on the adjacent Listed Bridge. Also, the fence is approximately 1.6 metres high, with no 'Permitted Development' rights removed from the application property. Therefore, if the fence was one metre in height adjoining the highway, the fence would be classed as 'Permitted Development', whilst the entrance gates and public gate, which are presently set back approximately 5.2 metres from the public footpath, do not require Planning Permission. On balance, I am of the opinion, that the additional height to the fencing does not result in it being unduly discordant in its context and the existence of the one metre high fallback position reinforces my view on this issue.

The retrospective fence and gates have been erected using natural materials and a natural colour that will tone down in brightness when impacted by the weather. I am of the view that the fence is of a modest height and a not uncommon form of boundary enclosure. Bridge Street generally has properties which are close to the footway or walled gardens abutting the footway and has an enclosed character and although the development is within the setting of the Listed Bridge, it is not attached to the Bridge Wall, and is not considered to unacceptably harm its setting.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing 606-08, and specification contained therein, submitted on 14th December, 2009 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.