

F/YR12/0091/F
8 February 2012

Applicant : Mr & Mrs W Taylor

Agent : Mr Nicholas Seaton
JNG Consultancy

6 Mount Drive, Wisbech, Cambridgeshire, PE13 2BP

Erection of 1.8m (max) high fence and double gates/personal gate to rear of existing dwelling

This application is before the Planning Committee due to the number of objections received.

This application is an 'Other'

1. **SITE DESCRIPTION**

The application site is located at 6 Mount Drive. The associated dwelling fronts Mount Drive and its curtilage extends westwards to join the roadway at Wedgewood Drive. There is currently a 1.8m high close boarded fence on the western boundary of the property, fronting Wedgewood Drive.

2. **HISTORY**

F/YR08/0914/F – Erection of 1.8m high double gates and fence to rear of existing dwelling – Granted 12.11.2008

F/YR06/1247/F – Erection of a 3-bed detached house with integral single garage – Refused 20.12.2006

3. **CONSULTATIONS**

Parish/Town Council: Recommend approval

CCC Highways: No objections

Neighbours: 7 letters of objection and a petition signed by 10 different sources received with concerns regarding:

- access is already gained via Mount Drive
- it would make it difficult for neighbours to access their driveways
- there would be nowhere for visitors to park
- devaluation of neighbouring properties
- an application for a dwelling would be resubmitted despite a previous refusal if this application is approved
- the applicants lorry has previously blocked a neighbouring driveway

- the access would result in a thoroughfare which would make it difficult for children to play in the cul-de-sac
- the application will disrupt parking
- why is a personal gate required?
- the cul-de-sac should be private
- existing residents will not know who will be passing through the gates
- loss of privacy
- the applicant is not allowed to walk on the adjoining neighbours land
- disturbance from construction vehicles and materials
- the site has not been surveyed for bats, barn owls or breeding birds
- there is currently not enough room for existing residents to park
- where would an ambulance park?
- the road may be damaged by work vehicles
- noise pollution from increased traffic
- 6 Mount Drive being used for a building reclamation business
- application does not contribute to or enhance the area

4. POLICY FRAMEWORK

FDWLP Policy	E8	- Proposals for new development should: -allow for protection of site features; -be of a design compatible with their surroundings; -have regard to the amenities of adjoining properties; -provide adequate access
East of England Plan	ENV7	- Quality in the Built Environment
Planning Policy Guidance (PPGs and PPSs)	PPS1	- Delivering Sustainable Development

5. ASSESSMENT

Nature of Application

This application seeks full planning permission for the erection of a 1.8m high fence and gates. The application is considered to raise the following key issues;

- Principle and policy implications
- History
- Design and Layout
- Other matters

Principle and policy implications

The application involves the erection of 1.8m high double gates and fence to the rear of an existing dwelling. The proposal will replace an existing 1.8m high close boarded fence, however, as the proposal fronts the highway and the design is slightly different from the existing fence, planning permission is required.

The Town and Country Planning (General Permitted Development) Order 1995 Part 2 Class B allows for the 'formation, laying and construction of a means of access to a highway which is not a trunk road or a classified road'. As the gates will front Wedgwood Drive, which is an unclassified highway, the above legislation confirms that the access which will result from the proposal does not require planning permission. With this in mind only very limited weight should be attached to highway and parking issues. The balance of consideration should be weighed much more heavily towards other material planning considerations.

In view of the existing fencing on site, the principle of fencing at a height of 1.8m is acceptable. PPS1, ENV7 and E9 all require development to be of a scale, style and character which is in keeping with the surroundings. Given that the proposal will be of a similar height and materials it is considered that the general appearance is acceptable in principle. Therefore, the key consideration of this application is the impact of the appearance of the gates.

History

In 2008 an application for the erection of a 1.8m high fence and double gates was granted planning permission (F/YR08/0914/F). This application fell within the scheme of delegation and was supported by the Town Council. The consent resulting from this application expired on 12 November 2011, however, given that the previous consent expired less than 5 months ago, application F/YR08/0914/F is considered to be a material planning consideration.

The only difference between the historic consent and the current application is the inclusion of a pedestrian gate on the latter.

Design and Layout

The design of the proposal includes timber posts with timber boarded double gates and a single timber pedestrian gate. The gates and fencing panels will be constructed from close boarded timber sections, which is akin to what is already on site. The gateways will open inwards and will, therefore, not cause interruption to the public highway. A condition which ensures that the gates are hung in this manner is considered necessary in order to protect the highway.

Visually, the impact of the proposal is considered to be negligible and as CCC Highways have raised no objections, the highway implications are of no concern. The design and layout of the proposal is, therefore, considered to be acceptable.

Other matters

Wisbech Town Council recommends approval of the scheme, however, a number of objections have been received from neighbouring residents. Whilst the comments received have been noted, as most of them relate to parking and highway matters, they can only be afforded very limited weight when determining this application. The 'Principle and Policy Implications' section of this report details why the resulting access is not afforded weight in this assessment.

Comments raised with regard to the devaluation of properties and the proposal making it difficult for children to play in the street and the applicant walking on adjoining neighbours land have been noted, however, are not material planning considerations and, therefore, carry no weight in this assessment.

It is acknowledged that the site has not been surveyed for endangered species, however, as the application is for a replacement fence, a survey is not considered necessary. Comments with regard to loss of privacy have been noted, however, as the proposal is for a fence, which arguably will protect privacy, no concerns are raised.

Conclusion

The proposal is a submission of a very similar scheme which was granted planning permission in 2008. The difference between the two schemes is minimal and as the proposal is essentially for a replacement fence, the impact on the surroundings is negligible. The vehicular and pedestrian access points which will result from the proposal and the related concerns raised by neighbours have been noted, however, as neither access requires planning permission it would be unreasonable to refuse the application on the grounds of the access.

It is considered that the application is an acceptable form of development which complies with policies of the development plan. It is, therefore, recommended that planning permission is granted.

6. RECOMMENDATION

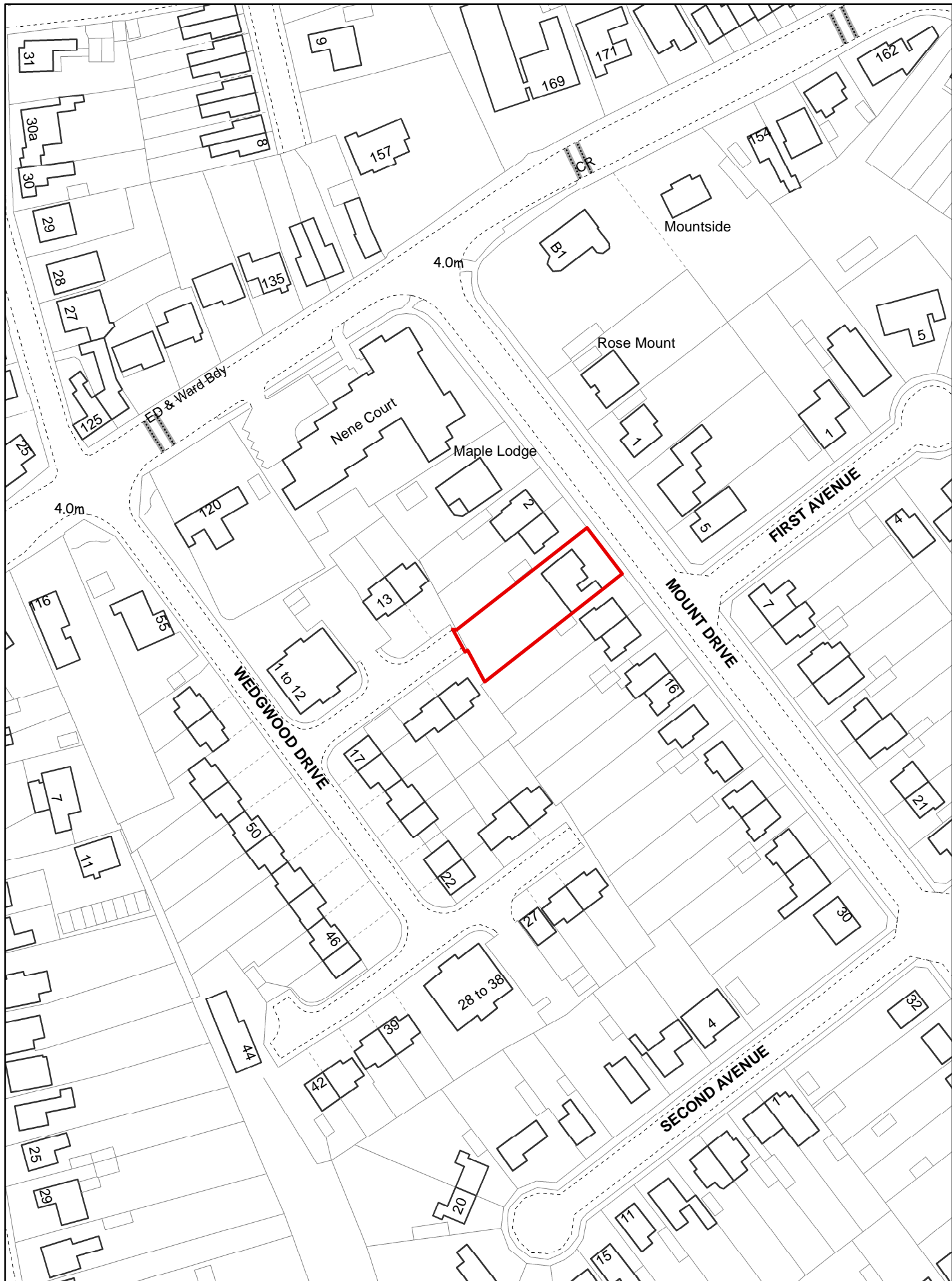
Grant

- 1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. The gates should not open out onto the Highway.**

Reason - In the interest of highway safety.



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CONSULTANCY

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A			
		Date:	Revision:
Project: New access and drive at 6 Mount Drive Wisbech PE13 2BP			
Drawing Title: Proposed block plan			
Client: Mr and Mrs W Taylor			
Date: 2/2/12			
Scale: 1:200		At: A3	
Drawing Number: 12-1027-2			

