

Recommendation: Conditional approval	
20201655	1 The Roundway
Proposal:	Installation of 1.8m high fence to side boundary of house (Class C3)
Applicant:	Debbie Abbott
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20201655
Expiry Date:	27 October 2020
RB	WARD: Troon



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Summary

- The application is brought to committee due to the number of objections.
- 5 objections and 1 letter of objection, containing 15 signatures, relating mostly to issues around land and access disputes regarding land outside the site.
- The main issues in this case are appearance of the site and highway sight lines.
- The application is recommended for approval subject to conditions.

The Site

The application site is a semi-detached house located on a prominent corner plot on the junction of The Roundway and Stancliffe Road. The front of the property faces The Roundway and the side is on Stancliffe Road. The garage to the house is accessed from The Roundway.

Background

20200832 A similar application for a side and front fence was refused earlier because of its potential impact upon the character and appearance of the site and the street scene.

20171182 Outline planning permission was granted for a single storey bungalow at the rear of the garden of 1 The Roundway with all matters reserved except for access, which is from Stancliffe Road.

20190957 Reserved Matters Approval was granted for details of layout, scale, appearance and landscaping for the bungalow.

The Proposal

The proposal relates to construct a timber fence with posts to a height of 1.8m, to the front and side boundary, including a kick board at the bottom of the fence. The fence would be approximately 40m in length and set back 1m from the highway with landscaping proposed in front.

The proposed plans would replace/reposition a two metre fence installed at the back of the footway without consent

Policy Considerations

National Planning Policy Framework (NPPF)

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Paragraph 163 of the NPPF advises that when determining planning applications local planning authorities should, inter alia, give priority to sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Development plan policies relevant to this application are listed at the end of this report.

Representations

5 objections and 1 letter of objection, containing 15 signatures have been submitted in connection with this application. The objections appear to relate to issues around land and access disputes regarding land outside the site rather than the fence proposed in this application.

The objectors refer to the development of the bungalow to the south of the application site. They allege that land has been used and access to a private drive (further to the south) impeded contrary to land and access rights. These are matters not directly relevant to consideration of this application and I am satisfied that this application has been submitted lawfully.

Consideration

Character and Appearance

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications including the visual quality of the area and the ability of the area to assimilate development.

The application site is situated in a predominantly residential area on the corner of The Roundway and Stancliffe Road. The top of Stancliffe Road comprises of largely high fencing to the rear and sides of properties that abuts the highway. This is broken up by the occasional driveway or garage. The lack of frontages along the Road, combined with the length of the fences contribute to an enclosed appearance.

The site is in a prominent location within the street scene and the proposal would be highly visible from the public realm. I consider that without relief, the lack of frontages along the top of Stancliffe Road and the length and height of the existing fences, the approximately 38m fence would contribute to the enclosed appearance of the street scene. However, due to the proposed setback of the fence from Stancliffe Road by 1m and provision of landscaping in front of the fence, I consider that it would soften the impact and would represent an acceptable addition to the street scene.

The proposal would be in accordance with Core Strategy Policy CS03 and would not conflict with saved Local Plan Policy PS10.

Parking and Access

The parking for the proposed bungalow to the south of the site would remain unaltered and the provision of splay lines in the amended plan would ensure visibility when exiting on to Stancliffe Road.

Conclusion

The proposed development would retain the character and appearance of the site and local area and result in minimal visual intrusion. It would provide adequate sight lines for the adjacent access.

I recommend APPROVAL subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. This consent shall relate solely to the submitted plans ref. no. 20024-02 received by the City Council as local planning authority on 01/09/2020, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. This consent relates to the amended plans only and is to be taken as a stand alone permission. The current location of the fence is considered an unauthorised development and the fence must be altered and re-positioned within the next 3 months otherwise enforcement action may be taken without further warning.

2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

Policies relating to this recommendation

2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.

2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.