

Application Recommended for Approval
Lanehead Ward

APP/2017/0310

Full Planning Application

Proposal to erect a 1.65m high fence adjacent to footpath on Hillington Road
118 RED SPAR ROAD BURNLEY



Background:

This application has been received following an Enforcement complaint relating to the unauthorised erection of a fence at this location.

The scheme submitted proposes alterations to the height of some sections of the fence in situ, as well as the repositioning and removal of other sections. The applicant has agreed to the removal of the unauthorised works within the timelines stipulated within the proposed conditions.

The fencing is sought in order to provide a level of privacy and security to the garden areas to the side and rear of the property in question, in order to ensure that they are more accessible and usable to the applicant. Due to the open nature of the garden prior to the fence being erected, the applicant had to contend with waste and dog faeces being discarded in the garden.

Objections have been received.

Relevant Policies:

Burnley Local Plan Second Review

Policy GP1 – Development within the urban boundary

Policy GP3 – Design and quality

Policy H13 – Extensions and conversions of existing single dwellings

SP4 Development Strategy
SP5 Development Quality and Sustainability
HS5 House Extensions and Alterations

Site History:

None relevant.

Consultation Responses:

LCC Highways

With regard to the above application, on inspecting the site I note that the fence is around the curtilage of the site that forms the junction of Red Spar Road with Hillingdon Road. The fence does obstruct some sightlines but as the roads are within a 20 mph limit complete with traffic calming there are still sufficient sightline distances to allow the junction to work.

As the sightlines remain sufficient for the junction within the 20mph limit, I will not be raising objections on highway grounds.

Neighbouring Residents

Five letters have been received in regards to this proposal, and the following points of objection have been received.

1. Because this is an open plan estate there should not be fences at the front of houses / detracts from the nature of the area,
2. Visibility is impaired when driving on to Hillingdon Road from Red Spar Road due to the location of the fencing (as existing),
3. Safety issues for pedestrians crossing,
4. Due to the height and construction of the fence, it is an eyesore more akin to a barricade, and
5. Detrimental to the visual amenity of the area.

Planning and Environmental Considerations:

The main considerations in regards to this proposal are the visual impact of the proposal, the impact on neighbouring properties and whether the scheme will have an acceptable impact on highway safety.

Visual impact on street scene

Policy GP3 requires amongst other things the use of good design and quality. The existing fence in its current position and height is unacceptable. The applicant has agreed to relocate the fence in line with the blue edge shown on the plan below as well as reducing the overall height of the fence to no more than 1.8m.



The fence will be set back so it runs horizontal with the front elevation of the property, not as it is currently positioned below.



The applicant is also proposing to stain the proposed fence in order that it blends in with/matches the fence to the edge of the garden area of no. 2 Oakwood Close (see below).

Fence view from highway.
Plan is to reduce height and stain to a similar colour in keeping with streetscene.



Subject to this being carried out in accordance with the submitted details, the finished appearance of the scheme would not appear jarring or out of keeping with the estate development.

Impact on neighbouring properties

Policy H13 seeks amongst other things to protect residential amenities. The proposed changes to the fence will greatly improve the visual impact of the fencing on the area, whilst at the same time offering an improved level of privacy and security to the garden areas to the side and rear of the property in question. Subject to this being carried out in accordance with the submitted details, the finished appearance of the scheme would not appear jarring or out of keeping with the estate development, and will have an acceptable impact on the residential amenity of the area.

Impact on highway safety

Policy H13 also requires proposals to have regard to highway safety by avoiding obstructions to visibility. The proposed fence will be set back further from the road junction and will also be reduced in size. The highway authority has raised no objections to this regularising application.

Summary

The proposed fence will have a much visual improved impact on the surrounding area compared to that currently erected, and will have an acceptable impact on highways safety. The works shall be carried out to remove the unauthorised elements within six months and as such the proposal therefore represents a satisfactory scheme.

Recommendation:

That planning permission is granted for the proposed scheme subject to the following conditions.

Conditions:

1. The development hereby approved must be begun within three months of the date of this decision.
2. The development hereby approved shall be completed to the satisfaction of the Local Planning Authority within six months. For the avoidance of doubt, any fencing not approved by this permission shall be removed within six months of the date of this permission.
3. The development hereby permitted shall be carried out in accordance with the details contained within Document B, Document C and approved plan reference number RSR/01-FL received 20th June 2017. For the avoidance of doubt, the maximum height of the fence that sits parallel to Hillingdon Road shall be 1.65m in height, and the fence shall be stained brown in colour to match the adjacent fencing that surrounds no. 2 Oakwood Close.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order ensure works are carried out within a reasonable timeframe to the benefit of the amenity of the area.
3. To ensure the development is implemented in accordance with the approved plans, to avoid ambiguity and to ensure the correct development takes place.

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