

<b>No.5</b>	<b>APPLICATION NO.</b>	2019/0990/FUL
	<b>LOCATION</b>	28 The Green Hesketh Bank Preston Lancashire PR4 6SB
	<b>PROPOSAL</b>	Erection of a rear garden fence approximately 1.8m high using timber posts and closed board cladding.
	<b>APPLICANT</b>	Mr Chris Cain
	<b>WARD</b>	Hesketh-with-Becconsall
	<b>PARISH</b>	Hesketh-with-Becconsall
	<b>TARGET DATE</b>	5th December 2019

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## **1.0 REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Ashcroft has requested that it be referred to Planning Committee to consider sightlines and impact upon visual amenity.

## **2.0 SUMMARY**

- 2.1 The application as submitted addresses the reasons why planning permission was previously refused. The application is compliant with Policy GN3 in the West Lancashire Local Plan DPD (2012-2027) and is recommended for approval.

## **3.0 RECOMMENDATION: That planning permission be **GRANTED****

## **4.0 THE SITE**

- 4.1 The application site consists a detached house located at the corner of The Green and Honeysuckle Grove. The dwelling house is set back from the highway, forming part of an established building line within this part of The Green. The front is open plan and the side/rear garden is enclosed by an unauthorised close boarded fence.

## **5.0 THE PROPOSAL**

- 5.1 The applicant is seeking planning permission for the "Erection of a rear garden fence approximately 1.8m high using timber posts and closed board cladding."

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2019/0218/FUL – Erection of a rear garden fence approximately 1.8m high using timber posts and closed board cladding. (REFUSED)
- 6.2 2000/0079 – Residential development comprising 3 terraced dwellings; 26 detached dwellings and garages; estate roads; public open space; and highway improvements at the junction of Chapel Road/Station Road, and the junction of Chapel Road/The Green, including new mini-roundabout. (GRANTED)

## **7.0 CONSULTEE RESPONSES**

- 7.1 Lancashire County Council (Highway) (08/11/19) –

A site visit has been carried out and the relocated position of the fence will not have a negative impact on sightlines for users of Honeysuckle Grove. The proposal will have a negligible impact on highway safety.

The existing fence on the site has been located within the adopted service verge and should be removed without delay.

## **8.0 OTHER REPRESENTATIONS**

8.1 The Council has received 3 letters objecting to the proposal on the following grounds.

Dangerous to pedestrian and highway safety;  
Original fence line was erected for reason;  
Loss of view;  
Rear garden untidy;  
Loss of trees has resulted in loss of privacy;  
Design of fence and quality of wood poor;  
Impact on house values in Honeysuckle Grove  
Impact on streetscene.

## **9.0 SUPPORTING INFORMATION**

9.1 None

## **10.0 RELEVANT PLANNING POLICIES**

10.1 The application site is located within a Key Sustainable Village as designated within the West Lancashire Local Plan 2012-2027

### **10.2 National Planning Policy Framework (NPPF)**

Achieving well-designed places

### **10.3 West Lancashire Local Plan 2012-2027 (DPD)**

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development

### **10.4 Supplementary Planning Document (SPD)**

Design Guide (January 2008)

## **11.0 OBSERVATIONS OF DIRECTOR OF PLACE AND COMMUNITY**

### **Assessment**

11.1 This planning application is a resubmission of planning application 2019/0218/FUL, which was refused on the following grounds:

1. The retention of the fence conflicts with Policy GN3 in the West Lancashire Local Plan DPD 2012 to 2027 and advice in the Design Guide SPD 2008 in that by virtue of the height, length, and positioning the fence results in harm to the street scene and visual amenity of the area.

2. The proposal is contrary to Policy GN3 in the West Lancashire Local Plan and Council SPD Design Guide in that the retention of the fence would restrict the visibility of drivers egressing 2 Honeysuckle Grove and result in conflict with pedestrians on the highway, to the detriment of highway safety.

11.2 Therefore the main considerations in determining this planning application are as follows:

Visual appearance/Impact on the street scene  
Impact on neighbouring properties  
Impact on highway safety.

***Visual appearance/Impact on the street scene***

11.3 Paragraph 127 in the NPPF states that local planning authorities should ensure development is sympathetic to local character, including the surrounding built environment and landscape setting. Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings.

11.4 The existing unauthorized fence will be removed and a new fence will be repositioned, further back from the highway. The submitted plan indicates that the fence will be inset from the carriageway of Honeysuckle Grove by 1.8m from the road at point (c); 2.8m from the road at point (d) and 1.5m from the road at point (e). The applicant proposes to erect a feather board fence which will be pre-treated in a mid-brown stain. There are other examples of similar close boarded fences within the estate. Given the distance from the road, I consider that on balance the proposed fence, with the set back as shown, would be in character with the estate and address the first reason why planning application 2019/0218/FUL was refused. In my opinion the proposal complies with Policy GN3 of the Local Plan and the Council's SPD Design Guide.

***Impact on neighbouring properties***

11.5 Policy GN3 of the Local Plan states that proposed developments should retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the proposed and neighbouring properties. The Design Guide SPD, explains that development must have consideration for the amenity of the neighbouring properties in terms of overlooking, overshadowing and overbearing impact.

11.6 Given the size, design and position of the proposed fence, I do not consider that there would be a significant loss of amenity to residents at neighbouring properties through loss of light, poor outlook or being overbearing.

***Impact on highway***

11.7 Lancashire County Council as Highway Authority has been consulted on this proposal.

11.8 The Highway Authority advise that The Green is a residential cul de sac with a shared surface and a 1.8m service verge.

11.9 The proposed fence line as outlined in the submitted drawing indicates that the fence will be relocated behind the 1.8m wide adopted service verge and in a position which would not have a negative impact on the required sightlines for all users of Honeysuckle Grove.

11.10 Therefore the Highway Authority has no objections to the planning application and is of the opinion that the nature and scale of the proposals should have a negligible impact on highway safety within the immediate vicinity of the site.

11.11 In the circumstances described, I consider that the proposal addresses the second reason for refusal and the proposal is compliant with Policy GN3 of the West Lancashire Local Plan in terms of highway and pedestrian safety.

### **Summary**

11.12 The application as submitted addresses the reasons why planning permission was previously refused. The application is compliant with Policy GN3 in the West Lancashire Local Plan DPD (2012-2027) and is recommended for approval.

## **12.0 RECOMMENDATION**

12.1 That planning permission be GRANTED subject to the following conditions:

### **Condition(s)**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference Existing Site layout received by the Local Planning Authority on 1st October 2019.

### **Reason(s)**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

### **Reason for Approval**

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:  
together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.