DELEGATED DECISION REPORT

SMD/2018/0765 **Valid 05/12/2018**	**1 MEIGH ROAD** **WERRINGTON**	**THE PROPOSAL IS FOR A BRICK WALL WITH FENCE PANEL INFILLS ON THE LEFTHAND SIDE GARDEN AS YOU LOOK AT THE PROPERTY.** **(FULL - MINOR)**

MAIN ISSUES

- The impact on the character and appearance of the area
- The impact on highway safety

DESCRIPTION OF SITE

The application site is within the development boundary of Werrington and comprises a detached dwellinghouse on a modern housing estate to the north of Ash Bank Road. It lies on the south side of Meigh Road, the first dwelling on the left when turning onto the road. Beforehand is the entrance to the parking area for Meigh Road playing fields which lies to the south (rear) and west of the site. Other houses facing Meigh Road lie to the west and also to the other side of the road the north.

PROPOSAL

This is a full planning application for the erection of a 1.8 metre boundary wall facing the road to enclose a triangular part of the front garden to the side of the house. This would run parallel with footway leaving a gap of 0.5 metres from it and would then continue along the edge of the drive to connect to the corner of the garage. Shrubs would be planted within the gap between the wall and pavement. The wall would connect with an existing side and rear boundary wall next to the playing fields car park. There would be a timber gate next to the garage to allow access to the proposed enclosed side garden which would provide an additional private garden space (there is another small triangular enclosed garden at the back of the house). The wall would be built of bricks to match the house and have timber fence panels separated by brick piers topped with coping stones.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy (Adopted March 2014)

DC1 – Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Sections 9 (Sustainable Transport) and 12 (Design).

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:"…decision-takers may also give weight to relevant policies in emerging plans according to:- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formalrepresentations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongsidea comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:-
- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

DC1 – Design Considerations
T1 Development and Sustainable Transport

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity
Site Notice expiry date: 9.1.19
Neighbour consultation period ends: 9.1.19
Press Advert: N/A

Public Comments

Concern regarding conflict with Deeds which limit height of walls to the front of properties.
Comment from the applicant to dispute the above

Town / Parish Comments

None.

Highways Authority

No objection subject to a condition.

OFFICER COMMENTS

The road and surrounding area has a rather open plan character and front boundary walls tend to be dwarf walls or fences. However, the application site differs with other properties facing the road as it is at the end of a row of dwellings and adjacent to a car park and is a triangular shaped site with a much wider frontage than other houses in the row. It is unlike the uniform shaped plots of the properties in the middle of the row of houses and has a garden area to the side of the house as well as directly to the front of it. The 1.8m wall would not look out of place as there is an existing wall visible from the road marking the boundary between the site and playing fields car park. It would not compromise the open and spacious character of the area as the wall would enclose the side garden and an open front garden would still be maintained directly in front of the house, in keeping with all the other plots in this particular row of properties.

There are other 1.8 metre high walls and fences elsewhere in the housing estate, normally marking the side boundaries of plots with a road running down the side. There is one such wall abutting the pavement on Ashton Court, a cul-de-sac off

Meigh Road a short distance from the site. The proposed wall would leave a gap of 0.5 metres to allow a visible grass verge with proposed shrub planting in the interests of the appearance of the street and avoid a “hard edge”. The wall is well designed with bricks which would match the house timber panelling to avoid a large expanse of bare wall and decorative coping stones. This respects the existing car park wall with also has decorative materials separating brick piers (albeit in patterned blocks made of stone or concrete).

The wall would not affect the visibility splays for drivers leaving the driveway of the house or the playing fields car park access. This is helped by the set back of the wall behind the pavement edge. A condition would be added requiring that the proposed plants or shrubs be kept to a maximum height of 0.6 metres.

Reference is made by an objector to conflict with provisions in the Deeds. However this is not a material planning consideration. It is a private civil legal matter and should be addressed through other means.

CONCLUSION

The wall, although not a common feature of the area and which would be visually prominent in the road, is well designed and would not harm the overall character and appearance of the area. It would also not harm highway safety.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 30.1.18

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council