

## DELEGATED DECISION REPORT

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**SMD/2022/0479**  
**Valid 25/10/2022**

**16 FURLONG AVENUE**  
**UPPER TEAN**

**RETROSPECTIVE APPLICATION**  
**FOR THE ERECTION OF**  
**BOUNDARY FENCE.**

**(FULL - HOUSEHOLDER)**

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### MAIN ISSUES

- Principle of development
- Design and visual impact
- Highways
- Neighbour amenity

### DESCRIPTION OF SITE

A detached, two-storey dwelling occupying a corner plot of land. The dwelling benefits from external amenity space as well as off-road parking in the form of an integral garage and front driveway. The dwelling sits at a higher level than the roadside and is a visually prominent property. The property benefits from a ground floor rear extension, has garden space, a detached outbuilding and boundary fence.

For the purposes of planning policy consideration the application site is located within the Upper Tean Development Boundary and is within a Low-risk Coal Development area. The application property does not form part of any Conservation Area and there are no listed buildings/structures nor protected trees which need to be considered.

### PROPOSAL

This is a retrospective application for the retention of a boundary fence along the southern boundary. There are two fence types along the boundary, a taller close boarded fence measuring between 1.875m and 1.975m high and a smaller picket fence, the application relates to the taller fence panels. The timber is untreated and the panels rest on top of gravel boards.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### Staffordshire Moorlands Local Plan

SS1 Development Principles  
SS8 Larger Villages Areas Strategy  
DC1 Design Considerations  
T1 Development and Sustainable Transport

#### Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

## 2. Space About Dwellings

### Supplementary Planning Document

#### 1. Staffordshire Moorlands Design Guide

### National Planning Policy Framework

Including sections;

- 2. Achieving sustainable development
- 9. Promoting sustainable transport
- 12. Achieving well-designed places

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

09/00871/FUL          Single storey rear extension. Planning permission not required.

### **CONSULTATIONS**

#### Publicity

Site Notice. Expires 22/12/2022

Neighbour consultation period. Expired 12<sup>th</sup> December 2022.

#### Public Comments:

Two letters of representation received, the contents of which can be summarised as follows;

- Original wall/fence was demolished along with a mature tree and hedge to make way for the new fence.
- Fence was put up without planning permission.
- Highway danger as fence obstructs views of the road bend.
- Concern of neighbour that their view, and that of oncoming vehicles, will be obstructed when parking on and leaving their driveway.

Checkley Parish Council: Local residents have raised serious complaints regarding road visibility due to the erection of this fence. Concerns regarding the lack of vision splay due to the proximity to the road and height of this fence. The Parish Council would also like it noted that they are disappointed with Staffordshire County Council Highways for not expressing a concern for this potential hazard.

Staffordshire County Council Highways: No objections and no suggested conditions.

## **OFFICER COMMENTS**

### Principle of Development

The application site is located within the Upper Tean Development Boundary where support can be given for a range of developments. This scheme raises no 'in principle' objections and planning permission is only required as the fencing in question exceeds the 1m Permitted Development allowances. The fencing in question ranges in height between approximately 1.875m and 1.975m, the scheme is therefore only seeking permission for an additional 0.875m – 0.975m on top of the automatic allowances.

It is noted that the detached outbuilding does not form part of the application even though there is reference to its location on the submitted plans. A site visit confirmed that the outbuilding has been erected. A condition should clarify this as the building may/may not need planning consent in its own right.

### Design and visual impact

This is a retrospective application for the retention of a boundary fence along the southern boundary. There are two fence types along the boundary, a taller close boarded fence measuring between 1.875m and 1.975m high and a smaller picket fence, the application relates to the taller fence panels. Whilst it is regrettable that a hedgerow and tree have been lost, it is not uncommon for this to occur in residential areas where dwellings are located on corner plots. Neither the hedgerow nor tree were protected, these could have been removed at any time and fence panels of up to 1m height erected without the need for planning consent. The fence is simple and functional in its appearance. Simple fence panels such as these are not uncommon in residential areas and not uncommon on corner plots where residents may want to increase the size of their garden area to incorporate garden at the side of a house, or for other reasons such as maintenance.

The timber is untreated and the panels rest on top of gravel boards. Through the passage of time the timber has weathered to reduce what might otherwise have been a very stark feature in the street scene. It is noted that there are other similar height fence panels on the opposite side of the street running along the side boundary of number 10 Chestnut Close, whilst these fence panels are set further back from the roadside they nevertheless form part of the street scene within the vicinity of the application site.

For the above reasons it is considered the fencing is acceptable in design and visual impact terms.

### Highways

Highway safety is referred to within the received letters of representation. The County Highways officer confirms the site has been visited and states that 'the fence will not cause a severe impact on the local highway network or a significant safety issue.' Further highways comments include reference to the fence being set back from the highway, that vehicle numbers and speeds at this location are low.' The Highways officer confirms no objections to the application.

### Neighbour amenity

The fence panels are seen from surrounding properties, however none of the panels have any direct overbearing/overshadowing impact upon any neighbouring principle window. Dwellings on the opposite side of the road are far enough away for there to be no impact. There are no amenity issues with the dwelling to the north (14 Furlong Avenue) due to the fence being on the southern side of the application site. To the west (18 Furlong Avenue), there is no direct overbearing relationship due to the location of the fence.

For these reasons the fencing does not breach any of the Space About Dwellings amenity standards and is not considered to have any overbearing impact upon surrounding properties. Refusal on the basis of amenity could not be sustained at appeal.

## **CONCLUSION / PLANNING BALANCE**

For the reasons outlined above, it is recommended that the application is approved. It must also be noted that notwithstanding the above approved plans, no permission is given for any decking or summerhouse which are referred to.

**OFFICER RECOMMENDATION :** Approval

**Case Officer:** Lisa Jackson

**Recommendation Date:** 22/12/2022.

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Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**