

DELEGATED DECISION REPORT

SMD/2024/0481
Valid 22/10/2024

**ALVERTON 21 HIGHFIELD
AVENUE
CHEADLE**

**RETROSPECTIVE PLANNING FOR
GARDEN FENCE**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Neighbour amenity
- Highways
- Low-risk, coal development area.

DESCRIPTION OF SITE

A detached, two-storey, hipped roof dwelling with two-storey, bay window feature and attached single garage. The dwelling benefits from off-road parking at the front of the house and external amenity space to the rear. The property sits within a well-established residential area and is within the Cheadle Town Development Boundary. The site is not within any Conservation Area and there are no listed buildings/structures or protected trees which need to be considered.

PROPOSAL

The erection of a timber fence along the lengths of the north-eastern and south-western (side boundaries) and north-western (rear boundary). The application was made as a retrospective application, however the plans have been amended to reflect advice from Planning Officers.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS7	Cheadle Area Strategy
DC1	Design Considerations
Appendix 2	Parking Guidance

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 |
| 6 | Building a strong, competitive economy |

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired

Press Advert: N/A (*Add date if applicable)

Public Comments

Nine representations received in support of the application, which can be summarised as follows;

- Adds value to the street.
- Shows the property is well cared for.
- Improved security for the homeowner.
- Fence looks clean and professional and done to a high standard.
- Support people making their house and/or the area look nicer.
- Absurd to worry about the fence when there is dangerous parking at the top of Highfield Avenue.
- Provides security and privacy to the homeowner.
- Fence is no higher than the one across the road.
- Fence is nothing when compared to a neighbour having a shipping container in his garden.

Two representations received objecting to the application, which are summarised as follows;

- Fence is higher than 1m at the front of the property.
- Fence in front of neighbour's kitchen window, blocking light and views.
- Blocks views of oncoming traffic when exiting the neighbour's drive.
- Two areas of lawn have been removed which will affect drainage.
- None of the neighbours were consulted prior to the fence being erected.
- Material is poorly matched.
- Design is out of scale with the area.
- Visual eyesore.
- Devalues surrounding property.
- Hedge has been cut back without consultation of permission.

Cheadle Town Council

Several Members of Cheadle Town Council's Development Services Committee have visited this site and are of the opinion that the new fence is too high given the character of the street. It was resolved to support refusal of this Application, and believe that the height should be reduced to permissible limits.

Staffordshire County Council Highways

Recommendation Summary: Acceptance

Site Visit Conducted on: 31/10/24

Comment on Information submitted

The garden fence is acceptable as it does not impact on the visibility. I have no objection (on Highway grounds) to the proposed development.

OFFICER COMMENTS

Principle of Development

The application site is located within the Cheadle Town Development Boundary. Local Plan policy SS7 refers specifically to Cheadle, it sets out the actions which could be supported to secure the aim of Cheadle becoming a significant service centre and market town. Policy SS7 supports a range of developments, including residential. The application raises no 'in principle' objections.

Design and visual impact

For the purposes of clarification, the scheme now being considered is that shown on drawing reference AL(0)01 Rev C. This plan has been submitted following on from officer's expressing concerns regarding the height of the fencing (which has been erected without planning consent), and the significant visual, harmful impact it has upon the street scene. Rather than issue a refusal, discussions have been ongoing concerning possible amendments. The Revision C proposals are now considered acceptable in terms of design and visual impact, and parts of the fencing would be within Permitted Development allowances. The changes include lowering the height of the fencing to 1.0m for 1.0m back from the highway (on both sides of the house) and reduced heights for the south-western boundary.

The original plan saw the fencing at a height of 1.739m, rising to 2.546m along the south-western boundary (between the application property and the neighbour at number 19). This resulted in a significant length of stark, imposing timber panelling, which could be seen at the time of the site visit. The amended plan now shows the stretch of fencing (between numbers 19 and 21) staggered at varying heights of 1.0m, 1.792m, 1.8m, 2.3m and 2.546m. The reduction to 1m high at the front of the property (both sides), will significantly improve the appearance of the fencing, exposing some of the hedgerow behind it on one side, and softening the overall appearance of this part of the property which is visually prominent within the street scene. The remaining staggered heights offer some relief in what is currently an extensive stretch of timber barrier, with no visual breaks (unlike other types of fencing which could have timber or concrete posts with panels between them). The staggered arrangement means that the applicant(s) has a higher fence within the rear garden for privacy but it will not be as imposing at the front of the house. It was the height of the fencing in the areas seen from the public domain which raised concerns.

Whilst some of the fencing between the application site and the neighbouring property, number 23, will be seen from the public highway, this stretch of fencing is now permitted development provided that the front part of the fence is reduced to 1m high for a distance of 1m rear of the highway. The fencing at the rear raises no design and/or visual impact concerns.

Neighbour amenity

Representations from residents have been considered, however as referenced above, now that the proposal is for a reduced height of 1.0m for 1.0m back from the highway, the fencing along the north-eastern boundary (adjacent to number 23 Highfield Avenue), falls within the limits of Permitted Development allowances. Whilst the loss of a view for a neighbour is regrettable, there are no planning reasons for the fence to be resisted, these works could be undertaken without planning permission.

The rear boundary fence measures between 2.002m and 2.026m in the northern corner, marginally above the 2.0m high, permitted development allowance. There are no objections to this part of the scheme.

There are no planning objections to the fence (as amended by the current drawing), in terms of amenity impact upon the resident(s) of number 19 Highfield Avenue. There is a hedgerow believed to belong to number 19, acting as a boundary feature which would mask much of the new fence. The application includes a section drawing showing the land levels of the application site and the neighbour (number 19). The application site is lower, hence the reason why a taller fence is required for the purposes of privacy. The section drawing shows that whilst the fence would appear high for the occupants of the application property, it will not be significantly so for the occupant(s) of number 19 Highfield Avenue. The section drawing shows that from the perspective of the occupant(s) of number 19, the boundary fence would have a height of 1.855m, below the 2.0m permitted development allowance if the fence

was erected on the neighbour's land. Number 19 Highfield Avenue benefits from an attached garage which sits close to the shared boundary, meaning that the new fence will not impact upon any principal windows.

Highways

Whilst the comments from a neighbour concerning the blocking of views when exiting a driveway are noted, Staffordshire County Council have assessed the application and raise no objections to it, and have no recommend conditions. Therefore there are no material planning objections to the application in terms of highways impact.

Low-risk, coal development area

The application site is within a low-risk coal development area. Latest advice contained on the Gov.uk website is that 'If you are submitting a planning application in a Development Low Risk Area then there is no statutory requirement to submit a CMRA to the LPA' however 'the proposed development still lies within a coal mining area and could contain unrecorded hazards.' The advice is that if any coal mining feature is encountered it must be immediately reported to the Coal Authority.

Other matters

The public representations also make reference to matters of drainage, devaluation of surrounding properties and poor materials. Whilst these matters have been considered it is noted that this is an application for a fence, therefore there are no objections to the use of timber. The scheme does not involve the removal of lawns and possible drainage impact. Devaluing properties is not a material planning consideration.

CONCLUSION / PLANNING BALANCE

For the reasons outlined within this report, it is recommended that the application is approved subject to conditions.

OFFICER RECOMMENDATION :

Conditional approval.

Case Officer: Lisa Jackson

Recommendation Date: 27.03.2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council