

DELEGATED DECISION REPORT

SMD/2025/0344
Valid 26/08/2025

177 UTTOXETER ROAD
DRAYCOTT IN THE MOORS

RETROSPECTIVE PLANNING
APPLICATION FOR A
BOUNDARY FENCE ERECTED
AT THE HEIGHT OF 3.17
METRES

(FULL - MINOR)

MAIN ISSUES

- Impact on the Green Belt
- Impact on Character and Appearance of the Area
- Other considerations that might otherwise outweigh harm

DESCRIPTION OF SITE

A large detached dwellinghouse, its size resulting from significant enlargements that fill the width of the plot. Although the dwelling is in the green belt it is in a row of similar dwellings forming a small cluster settlement.

The front and principal elevation of the dwelling faces Uttoxeter Road (C0109), set behind a roadside privet hedge and a generous hard surfaced driveway that spans the width of the plot.

A generous garden at the rear, backs on to the Draycott Old Road that runs parallel to the rear of the residential row. The back garden is enclosed by a 2m high, close boarded fence that abuts the footway. On the opposite side of Draycott Old Road, the dwelling backs on to Draycott Moor College – a large red brick building set behind 2m high railings and roadside hedgerow.

PROPOSAL

The application seeks permission retrospectively for development already carried out. Enclosing the whole of the rear garden, to the rear and each side, a mesh steel fence has been installed between timber posts to a height of 3.5m (the submitted statement states the height of the fence to be 3.17m, the submitted plan details its total height above the footway to be 3.5m, observation by eye suggests the new fence is around twice the height of the existing 2m high garden fence).

The timber posts are attached to and supported by, the pre-existing, concrete posts that support the close boarded garden fence. The timber posts are affixed inside/the garden side of the close boarded fence. The new mesh fence has the appearance of doubling the height of existing enclosure.

It is said in the submitted statement, that the fence was installed in response to safeguarding concerns regarding the safety of residents, neighbours, and members of the public—including school children and parents who gather directly behind the

property during school drop-off and pick-up times; the new fence replaces a lower boundary treatment which failed to prevent incidents of objects being thrown beyond the property, creating an unacceptable risk.

The property is operated by Compassionate Healthcare Limited and provides supported living for individuals with a range of complex needs, including mental health conditions. Historically, there have been multiple incidents where everyday objects—such as cups, mops, buckets, and in a serious case, a brick pulled from the pavement—were thrown from the premises.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS9 Smaller Village Area Strategy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

79/06948/OLDDC Conversion of Ground Floor Shop to Lounge. Approved
96/00014/OLD Extension to form Granny Annexe. Approved
07/00527/FUL Sun Lounge conservatory and two storey side extension. Approved.
SMD/2015/0052 Change of Use to HMO. Approved (not implemented)
SMD/2021/0265 Change of use to resi institution for adults. Withdrawn.
SMD/2021/0397 application for a lawful development certificate for a proposed internal refurbishment, elevational alterations and new entrance ramp for disabled user. Approved.

CONSULTATIONS

Publicity

Neighbour consultation period ends: 2nd October 2025
Press Advert: N/A

Public Comments

Six local objections have been received. The following points and comments are made:

- The fence is not in keeping with the area
- An eyesore in the village between houses, looks like a prison
- The nearby special needs school does not have or require fences this high
- If a fence of this height is required to keep the public safe, then the residents should be in a more secure unit
- The fence has not been erected securely or safely
- The fence exceeds the height (2m) which is permitted by Part 2 of the GPDO 2015

- The fence exceeds the roof height of adjacent property and appears like a cage surrounding the neighbour's house
- One resident once threw something at the neighbour's window and broke it, however, it was repaired and paid for - under normal circumstances the original fence was quite adequate and other alternatives to the very high fence must be available
- Question the CQC assessment of the current placements within such a residential area and if indeed their needs are being fully met.

Town / Parish Comments

Draycott in the Moors PC: No response within consultation period

OFFICER COMMENTS

Principle of Development

The site is within the smaller village of Draycott in the Moors that is washed over with Green Belt in an 'other rural' area of countryside. Here, Local Plan area strategy SS9 (smaller villages) and SS10 (other rural areas) apply. In respect of Green Belt impacts, the Local Plan policy defers to government policy in the NPPF.

Under the Local Plan strategy policies, these settlements shall provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and its hinterland. These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Impact on the Green Belt

The dwelling is in the Green Belt where development is inappropriate and, by definition, harmful to the Green Belt unless it is provided for by one of the exceptions that appear in the closed lists at Chapter 13 of the NPPF. There is no specific exception for the erection of a fence or means of enclosure.

If the existing garden fence is taken to be a building (definition of a building for the purpose of the Act includes any structure or erection) then one of the exceptions provides for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the original size. The new mesh fence is attached to, and therefore alters and extends, the height and size of the existing garden fence. The alteration, however, almost doubles the height of the garden fence and to that extent it disproportionately increases its size. The development is not, therefore, provided for by that exception.

One other exception, warranting consideration, is the provision of *appropriate* facilities for outdoor recreation. The recreation in this case is the normal enjoyment of the curtilage or garden of the dwellinghouse. It is not considered that a 3.5m -4m high fence is appropriate for that use or purpose. The development, therefore, is not considered to be provided for by that exception.

There are no other exceptions on the lists that would provide for or have any relevance to the development, warranting consideration.

The development, therefore, is inappropriate in the Green Belt and has some minor harm on the Green Belt. Substantial weight is attached to that minor harm, planning permission shall not be granted unless other considerations, amounting to very special circumstances, clearly outweigh that harm and any other harms that result from the development.

Impact on Character and Appearance

The existing character and appearance of the area is that of a small rural village or settlement of detached and semi-detached dwellings arranged in uniform, linear rows. From Draycott Old Road, the backs of the dwellings present with moderately sized back gardens. The gardens are enclosed, conventionally, by hedgerow and close boarded fence, adjacent to the footway no higher than 2m. The school to the north of the application dwelling, has the character and appearance of grounds and facility that relate well, and are integral, to the residential area.

The introduction of the very high wire mesh fence is at odds with and appears unusual in this residential setting. It does not relate well to the host dwelling, which for all intents and purposes has the appearance of a normally appointed dwellinghouse in a row of other similar properties. The high fence is imposing and overbearing in the street scene when viewed from the footway or neighbouring properties, described by one neighbour as 'appearing like a cage'. Indeed, the high mesh fence is institutional in character and appearance and creates the presentation of a secure or institutional facility, adjacent to conventional.

The imposing and institutional appearance of the very high fence would be harmful to the character and appearance of the area and the residential environment that is enjoyed by local residents.

There is conflict with Local Plan policies SS9, SS10, and DC1 in these regards.

Other Considerations

There is minor harm to the Green Belt, by reason of inappropriateness, and significant harm to the character and appearance of the area. Planning permission should not be granted unless there are other considerations that clearly outweigh the harm to the Green Belt and those other harms that result from the development.

The property is operated by Compassionate Healthcare Limited and provides supported living for individuals with a range of complex needs, including mental health conditions.

The existing property is a dwellinghouse (Class C3). Within that use class Class C3(b) includes up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. In previous submissions, available to review in the planning history, the operator submitted evidence that the residents (no more than six) would have learning difficulties, receive care, and live together as a single household. Ultimately, on that evidence and in those circumstances, the property could continue to be used as a dwellinghouse under the provision of the C3 use class and has been occupied on that basis.

The stated reason for the development is to prevent residents from throwing 'everyday objects' from the property toward neighbours, passersby, and those waiting outside the school opposite. It is said that historically there have been multiple incidents that have caused danger to others.

These, however, are not risks and dangers and that residents and visitors to the school should, in any event, be reasonably exposed to given that the property is a normal C3 dwellinghouse in a residential area. These are not risks and dangers that would be normally expected in a residential area when passing a dwellinghouse, and it does not provide good reason to erect incongruous development.

Overall, the stated reason for the development is not a consideration that outweighs the harm that has been identified and planning permission should be refused.

CONCLUSION / PLANNING BALANCE

The development has caused harm to the Green Belt, by reason of inappropriateness. The development has also harmed the residential character and appearance of the area by reason of a visually imposing and obtrusive height, design and use of materials that is at odds with the locally distinct residential area. The development has made the property look less like a dwellinghouse and more like an institutional or secure facility. In these regards, there is conflict with SMDC Local Plan policies SS9, SS10 and DC1. There are no other considerations that outweigh that harm.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 21st October 2025

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council