

**DCNC2007/3280/F - RETROSPECTIVE APPLICATION
FOR THE ERECTION OF 3M HIGH FENCE AROUND
NW BOUNDARY, BROMYARD LEISURE CENTRE,
CRUXWELL STREET, BROMYARD, HEREFORDSHIRE,
HR7 4EB**

**For: Halo Leisure per Property Services, Herefordshire
Council, Franklin House, 4 Commercial Road, Hereford
HR1 2BB**

Date Received:
19th October 2007

Ward: Bromyard

Grid Ref:
65348, 54777

Expiry Date:
14th December 2007

Local Members: Councillor B Hunt
Councillor A Seldon

1. Site Description and Proposal

1.1. This site, within the town centre of Bromyard, is owned by Herefordshire Council and is used for a number of purposes e.g. tourist information, leisure centre, library and info shop. This application by Halo Leisure, who use the site, is for the retention of an existing 3 metre high fence, which has been erected along that part of the north west boundary of the site, i.e. at the rear of the building, which backs directly onto a private car parking area and two dwellings. The fence is metal wire mesh covered with a polyester powder coating coloured dark green. The fence has been erected for security purposes, and extends from the north east corner of the site for 30 metres and finishes halfway along the rear boundary by the south west corner of the neighbours garden (i.e. no. 21)

2. Policies

2.1. Planning Policy Guidance:-

PPG 15 – Planning and the Historic Environment

2.2. Herefordshire Unitary Development Plan:-

Policy S2 – Development Requirements

“ DR1 – Design

“ CF1 – Utility Services and Infrastructure

“ HBA6 – New Development within Conservation Areas.

2.3 The Council's Supplementary Planning Guidance:-

Design and Development Requirements

3. Planning History

3.1. No relevant history

4. Consultation Summary

Statutory Consultations

4.1. None

Internal Council Advice

4.2 The Council's Transportation Manager has no objections

5. Representations

5.1. The applicant's agents state that the fence has been erected as a quick, cost effective solution to re-occurring vandalism problems being experienced on the roof of the Leisure Centre. Vandals were climbing onto the rear lower level roofs of the building causing a lot of problems, including problems affecting the residents of the immediately adjacent dwellings.

5.2. The Bromyard Town Council state:-

"My Town Council's Planning Committee resolved not to support this application. It was felt that the materials used in the fencing significantly damages the visual amenity of the area. However, the Committee is mindful to support the application, taking into account the reasons for such fencing, if the materials used are more in keeping with the Conservation Area that the building is in."

6. Officer's Appraisal

6.1. The main issues relate to:-

- The size and appearance of the fencing set in this position adjacent to the designated Conservation Area.
- The affect on the residential amenities of the neighbouring dwellings
- The need for the fencing.

The most relevant policies with respect to these issues are S2, DR1 and HBA6 of the Herefordshire Development Plan.

6.2. The new fencing is set against the fairly bland backdrop of the rear of the Leisure Centre building, which is mostly plain red brick walling with only a few small windows. Part of the fencing is hidden by the existing larch lap fencing on the boundaries of the adjacent dwellings. It is understood that the new fencing replaced some old wire and wooden fencing. As such, it is considered that, in this position, the fencing will look acceptable and not out of keeping with the visual appearance/character of the immediate area to the north west of the site, which is predominately used for car parking (public and private). The fencing is just outside the designated Conservation Area which lies to the south. The fencing does not adversely affect the character and

appearance of the Conservation Area and the materials used are considered to be acceptable.

- 6.3. The fencing is required, in order to deter vandals climbing onto the rear low level roofs of the Leisure Centre where they have been a nuisance and causing damage to both the Leisure Centre and the neighbouring residential dwellings. It is understood that, since the fencing has been erected, these problems have lessened significantly. In addition, the fencing does not adversely affect the residential amenities of the adjacent dwellings.
- 6.4. In conclusion, the development is considered to be acceptable and in accordance with the approved planning policies and guidance for the area. The size and appearance of the fence is considered acceptable in this position and location.

RECOMMENDATION

That planning permission be granted.

Informative(s):

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

2 - N03 - Adjoining property rights

3 - The applicant/owners should be aware that this planning permission does not over-ride any civil/legal rights enjoyed by adjacent property owners. If in doubt, the applicants/owners should seek legal advice on the matter.

4 - N14 - Party Wall Act 1996

5 - N19 - Avoidance of doubt

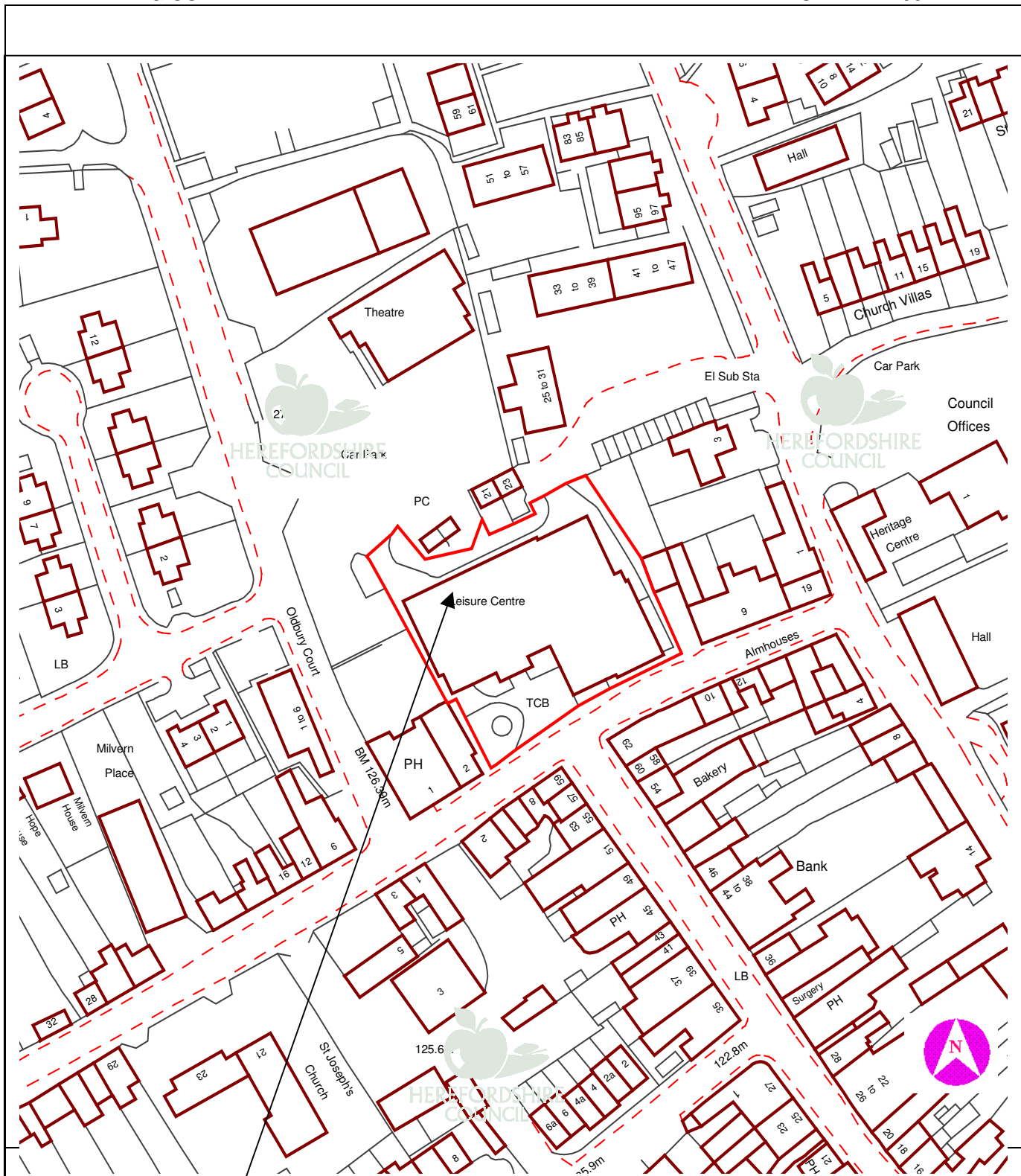
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



APPLICATION NO: DCNG2007/3280/F

SCALE : 1 : 1250

SITE ADDRESS : Bromyard Leisure Centre Cruxwell Street, Bromyard, Herefordshire, HR7 4EB

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