

**26 DCNE2004/4078/F - PROPOSED RELOCATION OF
BOUNDARY FENCE AT 51 HALLWOOD DRIVE,
LEDBURY, HEREFORDSHIRE, HR8 2FY****For: Mr C Bell & Mrs D J Swift at same address****Date Received:
26th November 2004****Ward:
Ledbury****Grid Ref:
69936, 37394****Expiry Date:
21st January 2005**

Local Members: Councillor P Harling Councillor B Ashton & Councillor D Rule

Introduction

This application should be read in conjunction with the application reference NE2004/3965/F for the retention of a boundary fence at 8 Hallwood Drive, Ledbury.

1. Site Description and Proposal

- 1.1 51 Hallwood Drive lies directly opposite to the property described above. The ownership of the landscaped area has similarly been conveyed to the property and the applicants wish to enclose it with a 1.8m fence and take it within their domestic curtilage.

2. Policies

Malvern Hills District Local Plan
Housing Policy 17 – Residential Standards

Herefordshire Unitary Development Plan (Revised Deposit Draft)
H13 – Sustainable Residential Design

3. Planning History

None relevant to this application.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager - no objections.

5. Representations

- 5.1 Ledbury Town Council - recommend refusal. Members felt that this would set a precedent. Other applications would follow, resulting in the loss of green space within the site, thereby dramatically changing the original layout.
- 5.2 One letter of objection has been received from Melanie Orgee, 49 Hallwood Drive, Ledbury. In summary she considers that the proposal will be detrimental to the amenity of the area and will be detrimental to highway safety.
- 5.3 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This application relates to a larger area of land than the retrospective application also being considered. However the issues of enclosure of the land and the impact of this on the appearance of the residential area are the same and it is your officers opinion that this proposal will not cause such harm to the character and amenity of the area to warrant refusal.
- 6.2 The objection referring to the potential for the scheme to be detrimental to highway safety is not substantiated by the Council's Traffic Manager. The site falls within a residential area where traffic speeds are low and vehicles are expected to be manoeuvring in the public highway.
- 6.3 The applicant has similarly indicated a willingness to undertake landscaping. If members are minded to approve this application, it is recommended that a suitably worded condition is imposed.
- 6.4 On balance this application is considered to be acceptable and it is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - **Before the development hereby permitted is commenced details of the proposed fence and colour shall be submitted and approved in writing by the local planning authority. The colour shall not be changed without the written approval of the local planning authority.**

Reason: In order to protect the visual amenities of the area.

- 3 - **G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

4 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.