

7 DCCW2005/1406/F - ERECTION OF WOODEN FENCE AND CHANGE OF LAND USAGE TO DOMESTIC AT 50 WYEDEAN RISE, BELMONT, HEREFORD, HR2 7XZ**For: Mr. N. Palmer, 50 Wyedean Rise, Belmont, Hereford, HR2 7XZ****Date Received: 22nd April, 2005 Ward: Belmont Grid Ref: 49436, 38898****Expiry Date: 17th June, 2005**

Local Members: Councillors P.J. Edwards, J.W. Newman and Ms. G.A. Powell

1. Site Description and Proposal

- 1.1 The application site is comprised of a two storey detached dwelling located within an established residential area of Belmont, it occupies a corner plot along Wyedean Rise, fronting onto the main access with a short cul-de-sac located along the north boundary serving a group of dwellings to the rear.
- 1.2 The area is characterised by a strong sense of urbanisation, although this is to some extent softened by relatively open frontages between the public highway and the dwellings themselves.
- 1.3 However, there is no well-defined building line throughout the length of Wyedean Rise, as some dwellings or their boundaries are significantly forward of others, particularly on corner plots or those which are orientated parallel with the adjoining highway.
- 1.4 The application seeks consent to change the use of a strip of land to the northern side of the dwelling to incorporate it into the domestic curtilage and erect a 1.8 metre high close hoarded timber fence enclosing part of the strip of land to enlarge the private amenity space to the rear of the dwelling.

2. Policies**2.1 South Herefordshire District Local Plan:**

Policy GD1	-	General Development Criteria
Policy C30	-	Open land in settlements

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy HBA9	-	Protection of open areas and green spaces.

3. Planning History

None relevant

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 The Traffic Manager has no objection, subject to there being no encroachment within the adopted service strip which measures 1.8 metres back from the edge of the carriageway.

5. Representations

5.1 Belmont Rural Parish Council - Objection - The enclosure of public open space should not be permitted, as it would be detrimental to the visual amenity of the area.

5.2 Mr. & Mrs. Rout, 29 Wyedean Rise - Objection - Adverse impact on the visual appearance to the front of their property, loss of sunlight to driveway and front garden and a restriction of visibility when leaving the driveway to enter the public highway.

The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The application site lies along the northern boundary of the curtilage of the dwelling known as 50 Wyedean Rise and generally it is not considered that the proposed change of use or enclosure of a relatively small area of private land will give rise to any demonstrable harm to the visual amenity of the wider locality, or adversely affect the safe passage of vehicles using the adjoining public highway.

6.2 The owner of the dwelling has recently purchased the application site from the previous owners Bovis, who were the original developers for the housing constructed in the Wyedean Rise area.

6.3 The land is in private ownership and does not form part of the designated public open space for the locality, a strip of land 1.8 metres wide adjacent to the carriageway was dedicated as public highway by the developer Bovis Homes, by a Section 38 Agreement in 1987. In light of this it is considered reasonable to impose a condition to ensure that the fence is positioned at least 1.8 metres back from the edge of the adjoining carriageway in order to protect the service strip.

6.4 It is also considered expedient in the interest of maintaining the open character of the frontage to restrict by condition any enclosure of the remaining part of the land. At present this area could be enclosed by a 1 metres fence without the need for planning permission

6.5 With regard to the concerns raised by the occupant of 49 Wyedean Rise, it is not considered that the erection of the fence will adversely affect their residential amenity or the safe use of the public highway arising from them entering or leaving their driveway. The Traffic Manager has specifically addressed the latter issue.

- 6.6 However, in order to ensure that the fence does not overly dominate the front of 49 Wyedean Rise, it is considered reasonable to require that the construction of the fence finish 1.8 metres back from the boundary between the two properties in order to protect the residential amenity, and provide a degree of relief.
- 6.7 Overall, subject to the imposition of conditions, it is considered that the proposal complies with the relevant policies in the Local Plan, and will not appear significantly out of keeping in a residential locality characterised by a mix of boundary treatments. The land involved is not specifically protected as public open space, but rather represents incidental landscaped amenity land and as such, approval is recommended.

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. **A09 (Amended plans) (24th May, 2005).**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3. **The fence hereby permitted shall not extend beyond the front elevation of the dwelling to the southwest, or within 1.8 metres of the carriageway to the northwest, or 1.8 metres of the boundary to the northeast.**

Reason: To protect the general character and amenities of the area.

- 4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no fence/gates/walls or other means of enclosure whatsoever shall be erected on the land to the northeast or southwest that falls outside of the fence hereby approved.**

Reason: To protect the general character and amenities of the area.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.