

8 DCCW2005/3988/F - RETROSPECTIVE APPLICATION FOR WROUGHT IRON GATES AT 1 BREINTON LEE, HEREFORD, HR4 0SZ**For: Robert & Jennifer A. Underhill, Baggins Holt, 1 Breinton Lee, Hereford, HR4 0SZ****Date Received: 6th December, 2005 Ward: Credenhill Grid Ref: 47277, 41330****Expiry Date: 31st January, 2006**

Local Member: Councillor R.I. Matthews

1. Site Description and Proposal

- 1.1 The application site is comprised of the vehicular access serving a small residential development known as Breinton Lee, which is located on the southern side of Kings Acre Road, to the west of the City of Hereford.
- 1.2 The application seeks retrospective consent to regularise the erection of a pair of automated gates, which have been erected across the vehicular access.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1 - General Development Criteria

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1 - Design

3. Planning History

- 3.1 None relevant.

4. Consultation SummaryStatutory Consultations

- 4.1 None.

Internal Council Advice

- 4.1 Traffic Manager - Comments awaited.
- 4.2 Head of Environmental Health & Trading Standards - comments awaited.

5. Representations

- 5.1 Breinton Parish Council - no objection.

- 5.2 Mr. Richards, 5 Lambourne Gardens - verbal objection received. Formal comments will be reported at Committee.
- 5.3 Thompsons Land & Property on behalf of Mr. and Mrs. Wakeley – objection on the grounds that the gates impeded a civil right of way enjoyed by their clients to access land which lays to the south of the access road.

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 gates are situated at the end of a quiet cul-de-sac and secure the entrance to a private pedestrian and vehicular access serving a group of five dwellings.
- 6.2 The gates and associated metal fence, which flank either side, effectively form a continuation to the gated entrance to the adjoining private residential development Lambourne Gardens, therefore visually the gates are not discordant or out of character within the street scene.
- 6.3 The neighbour has raised concerns with regard to the noise associated with automated gates but it is not considered that the impact is such that a reason for refusal could be substantiated.
- 6.4 With regard to the claimed impedance of the access to the land to the south, this is a civil matter and as such it is not a material planning consideration, as the granting of planning permission for the gates, would not interfere with the interested parties taking the appropriate civil action to ensure that their right of access is maintained.
- 6.5 Consequently whilst the comments of the neighbour are noted, it is not considered that the presence of the gates gives rise to a form of development, which is to demonstrably harmful to the visual or residential amenity of the area to justify refusal in this instance.

RECOMMENDATION:

That retrospective planning permission be granted.

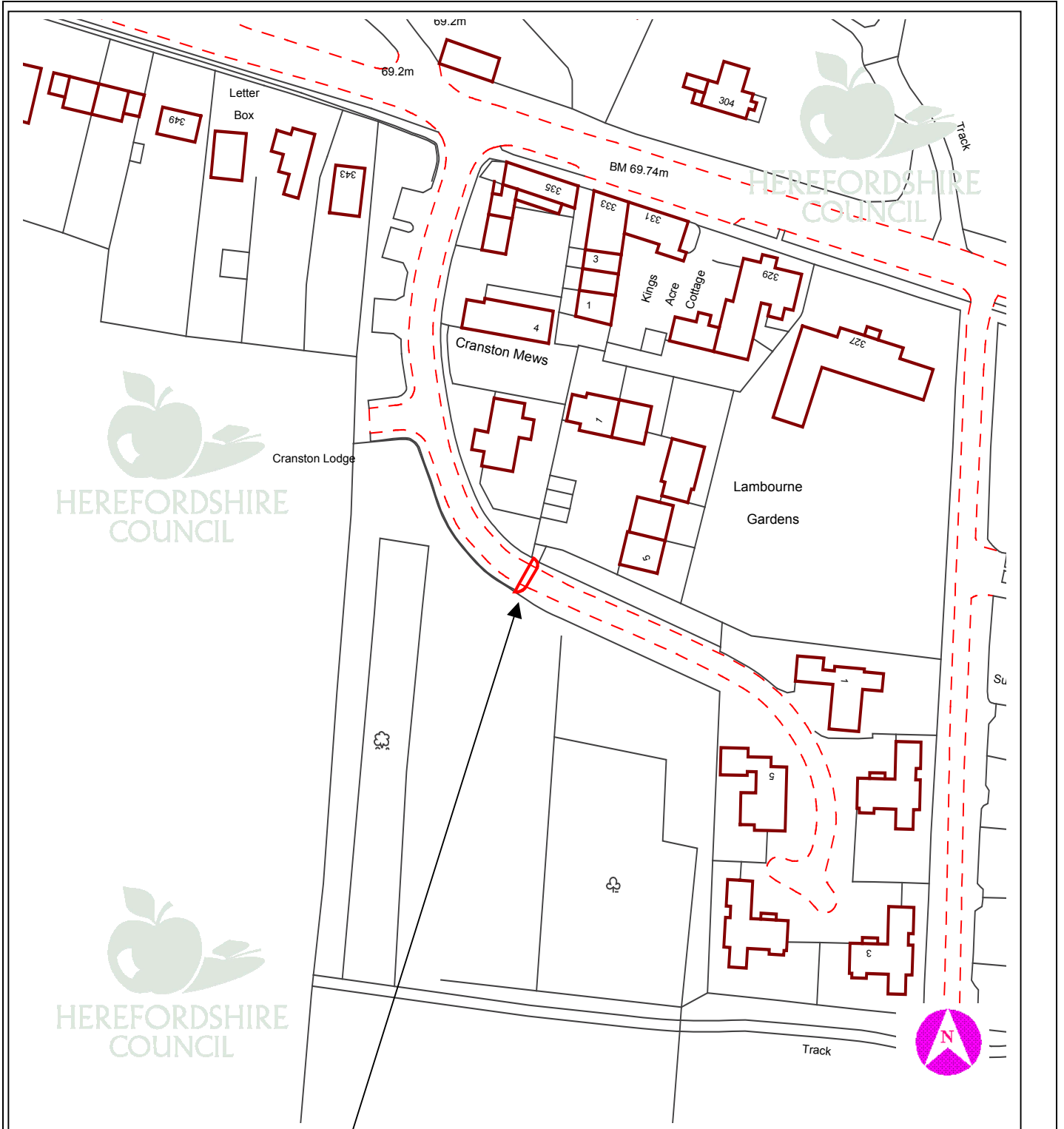
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCCW2005/3988/F

SCALE : 1 : 1250

SITE ADDRESS : 1 Breinton Lee, Hereford, HR4 0SZ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005