

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	4 th October 2006
AUTHOR/S:	Executive Director / Head of Planning Services	

S/1615/06/F- STAPLEFORD Fence at 8A Gog Magog Way for Mr & Mrs Philbrook

Recommendation: Approval
Date for Determination: 5th October 2006

Conservation Area

Site and Proposal

1. No 8A Gog Magog Way is a 2 storey detached house set back from the road. The front boundary has a row of trees protected by a Tree Preservation Order. The existing frontage has low-level chain link fencing and at the sides of the entrance gate are hedges. The land drops from the public highway to the application site. There is a narrow verge between the trees and the footpath.
2. Properties opposite the application site, Nos. 7-13 Gog Magog Way, have open frontages. Nearby No 8 Gog Magog Way has hedges and entrance gates, and No 2a Dukes Meadow has close-boarded fencing facing Gog Magog Way.
3. The application, registered on 10th August 2006, seeks to erect a 2.4m high close-boarded fence along the 78 metre frontage of the site with Yew hedges fronting the proposed fencing. The proposed fence would be 1.8 metre high above the level of the footpath, albeit 2.4 metres above ground level.

Planning History

4. None related

Planning Policy

5. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design which responds to the local character of the built environment for all new development.
6. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment.
7. **Policy HG12** of the South Cambridgeshire Local Plan 2004 partly states that the alteration of dwellings will not be permitted where there would be an unacceptable visual impact upon the street scene and/or boundary treatment would provide an unacceptable standard of visual amenity.
8. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.

9. **Policy EN30** of the Local Plan requires for development within Conservation Areas to protect or enhance their character and appearance.

Consultation

10. **Stapleford Parish Council** recommends refusal and states that 'fence would be unduly high'.
11. **Conservation Manager** has no objection providing that a landscaping condition is imposed requiring the planting of an appropriate hedge and providing no damage will result to the trees.
12. **Trees and Landscape Officer** met the applicants' agent on the site. The agent showed the depth of the proposed fencing and she has no objection to the proposal.
13. **Landscape Design Officer** considers that the fence would not be in keeping with the surrounding area given that there are no other fences in the road and that the area is semi-rural in character and mostly hedged with privet. He considers that the proposed Yew hedge would be too formal and he would suggest a mix of native hedge species be planted. The plants will require careful planting to avoid competition from the existing trees and laurel.

Representations

14. The applicants' agent submitted letters to support the application:
- The Parish Council's objection due to height of the fence is because of the fact that certain adjoining residents believe that they have a right to a view of the pond or that the pond should form part of a village amenity;
 - The pond is under the private ownership of the applicants; and
 - The proposal is primarily for security purpose.
15. The applicants submitted letters to support the application:
- The original hedge on the site was dying in parts earlier this year as a result of Honey Fungus and the applicants were advised by Royal Horticultural Society to remove the hedge which resulted in lack of privacy and security;
 - Due to the cost of replacing a yew hedge, the applicants decided to seek permission to erect a fence with a small yew hedge (for the benefit of residents and passers by) along the roadside in order to soften the fence;
 - There are many 1.8 m high close boarded fences on Gog Magog Way and Hinton Way which are not screened by hedges;
 - As property owners, the applicants have a duty of care to passers by to keep them safe (particularly children) and from falling in the pond and drowning;
 - The applicants and their children had previous incidents in regard to intrusion and confrontation including oral abuse, missiles and objects thrown into their land, and damage to the property;
 - The proposed fence would help reduce the anti social behaviour of the minority of passers by and to provide security and privacy to the applicants and their children;
 - A small minority of Stapleford residents regard the pond as part of the village which is not a relevant consideration since the applicants are the legal owners of the pond; and
 - A list of properties with 1.8m high plus fences in the immediate locality (within 0.5 miles of the application site) has been submitted.

Planning Comments – Key Issues

16. The key issues in relation to this application are whether there would be an unacceptable visual impact upon the street scene and boundary treatment would provide an unacceptable standard of visual amenity; landscaping of the site; and any harmful impact to the trees on the site that are protected by a Tree Preservation Order.

Visual impact upon the street scene

17. I consider that, if the proposal is accompanied by appropriate planting to screen the fence, the resultant street scene would be acceptable and the proposed fence along the road frontage would not be very prominent in the streetscape. Regarding the height of the fence, due to the fact that the land drops away from the edge of the footpath, the height of the fence would be 1.8 metres above footpath level.

Landscaping of the site

18. It is considered that appropriate landscaping on the roadside of the proposed fencing would enhance the visual amenity of the development and it can be secured by conditions. The Landscape Design Officer considers that a mix of native hedge species would be more appropriate than the proposed Yew hedge. The applicants' agent agrees to submit revised drawings to state proposed hedge species to be agreed. This can be secured by condition.

Trees on the frontage that are protected by Tree Preservation Order

19. Given that the Trees and Landscape Officer has no objection to the proposal and that the protection of the trees on the site is subject to the imposition of condition on the foundation details of the fence, I do not consider that the proposal would be harmful to the TPO trees.
20. For the above reasons, the proposal is consistent with the local plan policies and my recommendation is one of approval.

Recommendation

21. Approve as amended by drawing number 662/01A date stamped 25th September 2006:
1. Standard Condition A – Time limited permission, 3 years. (Reason A)
 2. SC 51 – Landscaping (RC 51)
 3. SC 52 – Implementation of landscaping (RC 52)
 4. No development shall commence until foundation details of the hereby permitted fence have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason – To protect the trees along the frontage of the application site.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 (Sustainable Design in Built Development)
Policy P7/6 (Historic Built Environment)

- **South Cambridgeshire Local Plan 2004:**
Policy HG12 (Extensions and Alterations to Dwellings within Frameworks)
Policy EN5 (The Landscaping of New Development)
Policy EN30 (Development in Conservation Areas)

2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:

- Visual impact in the street and Conservation Area.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File references: S/1615/06/F

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