

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd March 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and Sustainable Communities)

S/1840/09/F - SWAVESEY
Erection of Fence and Gates at 87 Mill Farmhouse, Middle Watch
for Mr and Mrs Stephen Hall

Recommendation: Approval

Date for Determination: 8th February 2010

Notes:

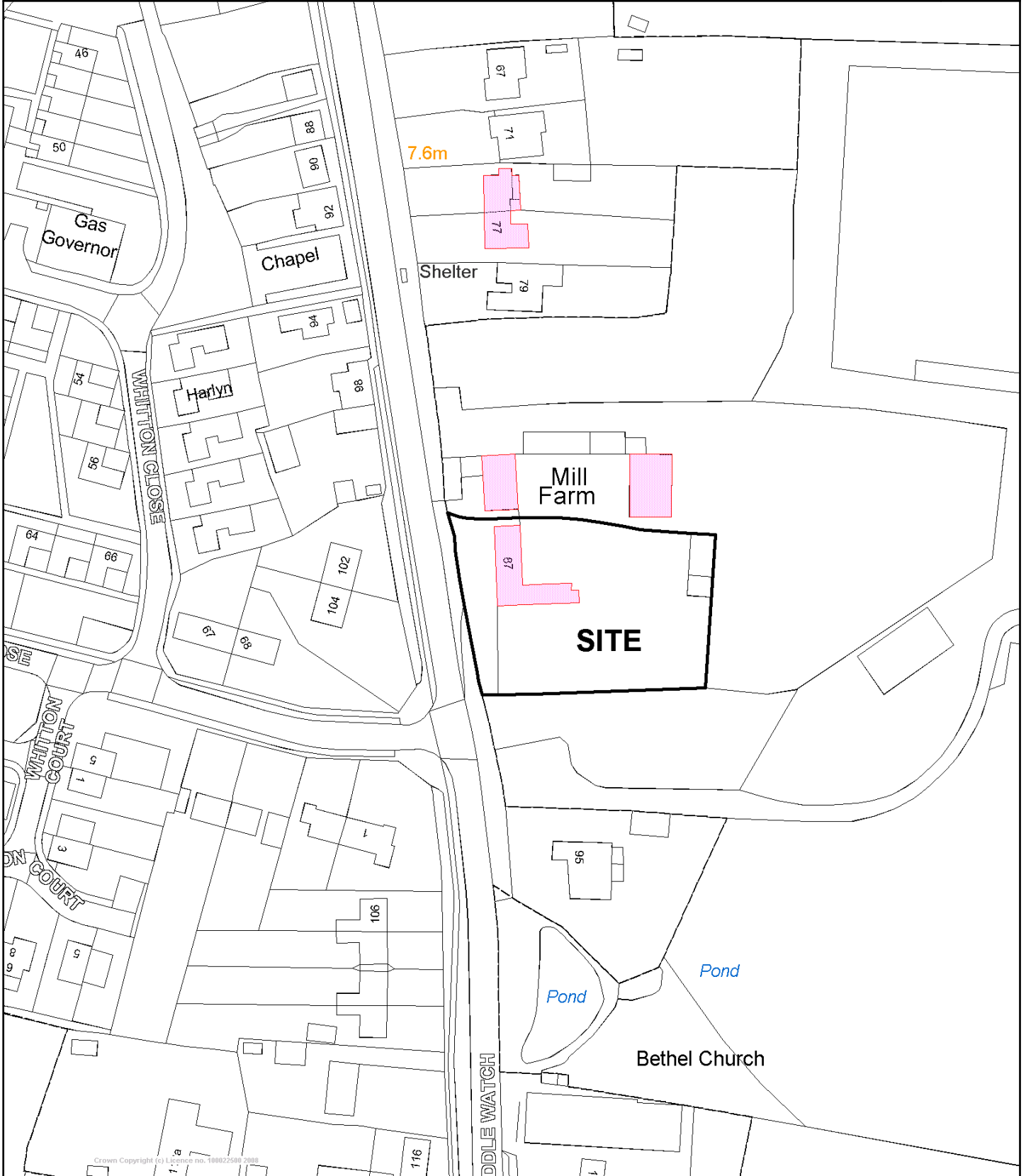
This Application has been reported to the Planning Committee for determination at the request of the Local Member Cllr Mrs Ellington.

Site and Proposal

1. Mill Farmhouse is a detached two-storey grade II listed farmhouse, with rooms in the roof space. The dwelling is L-shaped with a 1½ storey and single storey extension projecting into the rear garden. The site is located outside the village boundary but it is located within close proximity to the village centre. It has a large residential curtilage, with most of the building work on the site occupying the northwest area of the site, which has resulted in a large rear garden.
2. Adjacent to the vehicular access is a recently erected three bay cartlodge with the openings facing into the site. There is a large turning area within the site in front of the cartlodge. In the northeast corner of the site is an outbuilding which has recently gained consent to be re-roofed using thatch. There is also a recently erected brick wall constructed with buff bricks located between the dwelling and the cartlodge.
3. There is nothing defining the front boundary except a temporary builders metal mesh fence. The south (side) boundary treatment consists of 1.8m high dark stained timber boarded fencing, there is a buff coloured brick wall located on east (rear) and north (side) boundary which lowers down once it reaches the front of the dwelling to about 1m.
4. The full application, received 14th December 2009, proposes five bar double gates for vehicular use and a five bar pedestrian gate in front of the existing vehicular access to the south of the site. It is also proposes a five bar fence between the listed dwelling and the cartlodge following the demolition of an unauthorised wall.

Planning History

5. **S/1450/09/F** – Erection of Wall and Gates (Part Retrospective) – Refused
S/1298/09/F – Car Lodge (Revised Design) (this application was for change of the roofing materials from pantiles to slate – Approved
S/1229/09/F – Replacement of Thatch Roof to Outbuilding including doors and shutters – Approved



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Scale 1/1250 Date 18/2/2010

Centre = 536366 E 268049 N

March 2010 Planning Committee

S/0362/09/F – Erection of Cart Lodge, Fence, Gate and New Vehicular Access – Approved

S/2103/08/F – Dwelling – Refused

S/0170/03/F – Extensions withdrawn

S/1241/01/F – Vehicular Access Approved (but not implemented within the 5 years required)

6. The site has been the subject of a number of planning applications recently. Planning reference **S/0362/09/F** proposed a cartlodge, a 5 bar fence and gate and new vehicular access. This fence and gate were granted consent to be attached to the side of the listed building and the proposed cartlodge. However, the cartlodge was erected and the vehicular access created but the 5 bar fence and gate was not. The applicant erected a brick wall in the location of the proposed fence and gate.
7. Planning application reference **S/1450/09/F** was submitted in order to regularise the wall and apply for gates in front of the vehicular access. This application did not receive the support of the Local Planning Authority as it was considered it would adversely affect the semi-rural setting of the Grade II listed farmhouse by virtue of the materials and design which are urban in character and inappropriate to the location and type of building. This current application reference **S/1840/09/F** is for a new design 5 bar fence between the listed building and cartlodge and double gates and a pedestrian gate in front of the vehicular access.

Planning Policy

8. **National Policy**

Planning Policy **Guidance Note 15**

9. **Regional Policy - East of England Plan, 2008:**

SS1 (Achieving Sustainable Development)

ENV6 (The Historic Environment)

ENV7 (Quality of Built Environment)

10. **South Cambridgeshire Local Development Framework, Development Control Policies, adopted January 2007**

DP/2 (Design of New Development)

DP/3 (Development Criteria)

CH/4 (Development Within the Curtilage or Setting of a Listed Building)

Consultation

11. **Swavesey Parish Council**

“The Parish Council considers the existing brick wall, between the new garage/car lodge and house, to be visually better than the proposed open 5-bar fence and would provide a positive contribution to the farmhouse.

The open view from the frontage of the site is already compromised by the car lodge and dwelling behind the site, therefore the Parish Council considers that the brick wall would not compromise this any further.

The Parish Council agrees that the open 5-bar gates in this proposal, would be more suited to the setting of the listed farmhouse than the solid gates in the previous proposal S/1450/09/F.”

After seeking clarification with the Parish Council it has been concluded that the Parish Council is refusing the open 5-bar fence but supporting the open bar gates.

12. **Conservation Officer**

Recommend approve - Post and rail fences and 5 bar gates are traditional forms of enclosure within the curtilage of listed buildings and are wholly appropriate to the type of building and its location within a semi-rural setting. While the proposal will allow visual privacy and security of the site (as stated in the design and access statement) there will be no impact on the street scene or on the setting of the listed building.

Representations

13. Cllr Mrs Ellington

I am concerned about this application because it will necessitate the removal of the wall, which currently spans between the garage and the house on this site.

The wall is really the subject of my objection. The decision to refuse planning permission for this wall was made while I was in hospital and unable to make representations. This wall is not only attractive but also provides security and privacy to the site. It is built from bricks found on site and matching to surrounding buildings. I am sure the owner would be able to describe the mortar mix and construction method, which I believe to be in keeping with the rest of the adjacent, listed building.

The other reason for refusal of the original application for the wall was that the farmyard would have had open view over the countryside, which this wall would preclude. The fact that a stable has been built behind the old farmyard with a bungalow, which totally precludes any view over the countryside, does not appear to have been taken into account.

I have received many comments from local residents and Swavesey Parish Council that they would prefer the wall to remain and do not wish to see it demolished. Indeed there is credulity that SCDC would force the owner to demolish it.

I would therefore ask the planning committee to refuse the post and rail element of this application and advise the owner on the procedure for seeking reconsideration of his application for the wall.

Planning Comments – Key Issues

Street Scene Impact and Setting of the Listed Building

14. It is not considered that the proposed 5 bar fence and double gates and gate would be harmful to the street scene or the setting of the listed building. The timber fence and gates are appropriate for this semi-rural location. The five bar fence is more appropriate in this location than the wall that was erected without planning consent. They are traditional forms of enclosure within the curtilage of listed buildings. The proposal design will allow for privacy and security at the site with minimal impact on the setting of the listed building and the street scene. The proposal is therefore considered to be

acceptable to Policies DP/2, DP/3 and CH/4 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

15. Permission is currently being sought from Planning Sub-Committee for enforcement action to secure the removal of the brick wall.

Impact on Highway

16. The gates are proposed to be located 5.6m from the highway at its furthest point and 4.8m at its closest point. They will open inwards into the site therefore allowing vehicles entering the property to not overhang the highway while the gates are opened. The design and access statement states that the gates are set in 8m, which is the case when the gates are opened. The Local Highways Authority requests that the gates are set back a minimum of 5m from the near edge of the highway and that they should hand inwards. Therefore, in terms of highway safety the proposal is considered to be acceptable.

Recommendation

17. Approve

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. Prior to commencement of the use hereby permitted any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway boundary. Any access gate or gates shall be hung to open inwards only. (Reason: In the interest of highway safety).
3. No development shall take place until details of the colour finish of the fence and gates hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 and CH/4 of the adopted Local Development Framework 2007.)
4. The development hereby permitted shall be carried out in accordance with the following approved plans Drawing nos. 09/1226/003 Rev B and 08/1226/002 Rev B. (Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informatives

The Local Highway Authority would recommend that the applicant contact Cambridgeshire County Council Sea Team to ascertain the location of the Highways Boundary.

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

- South Cambridgeshire Local Development, Framework (LDF) Development Control Policy, adopted January 2007
- Planning Files: S/1450/09/F and S/0362/09/F

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