2022/0652

Mrs Helen Page

12 Commonwealth View, Bolton Upon Dearne, Barnsley, S63 8DF

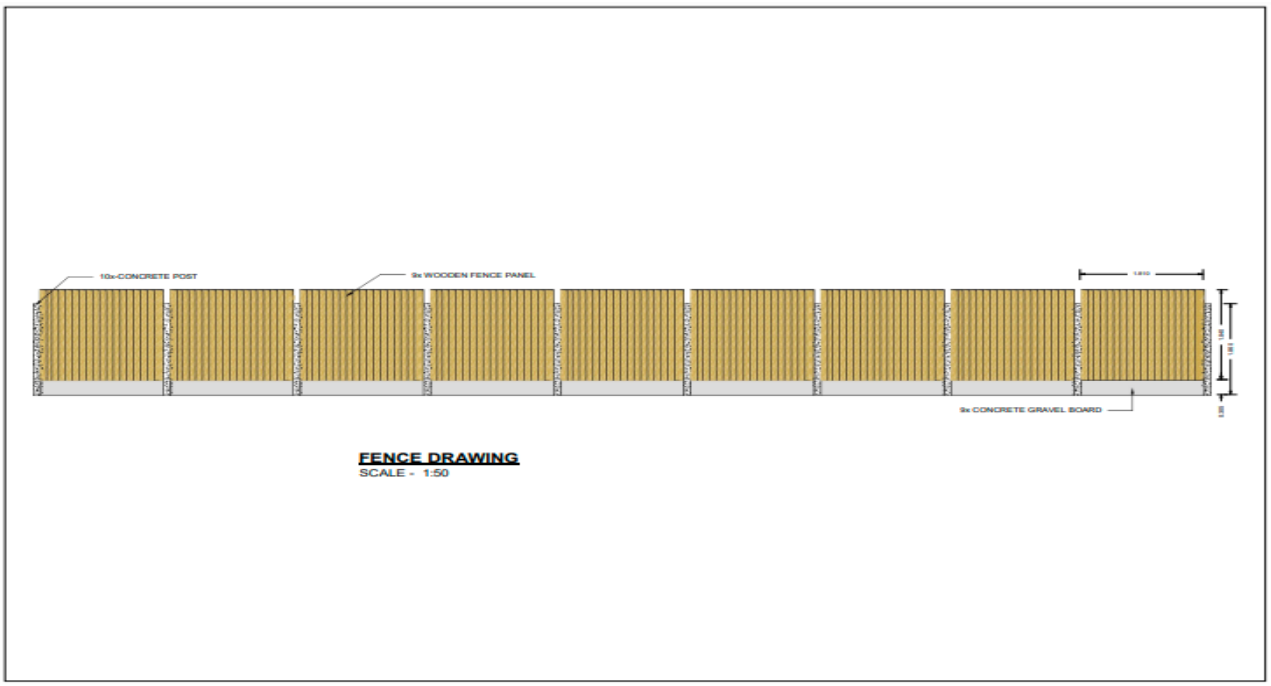
Replacement boundary fence

Site Description

The dwelling is a two-storey semi-detached dwelling located in Bolton Upon Dearne. Commonwealth View has a consistent residential street scene featuring other similar dwellings. The dwelling has a driveway to front and a decking, a patio area and garden to the rear.

Proposed Development

The applicant is seeking approval for the erection of a boundary fence to a side boundary at the rear of the property. The fence will have a height of 2.2 meters and a length consisting of 9, 1.85-meter wooden fence panels, set on top of 9 concrete gravel boards and in between 10 concrete posts.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise. The recently revised National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

<u>Supplementary Planning Document: House extensions and Other Domestic Alterations</u>

This document establishes the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations.

The general principles are that proposals should;

- Be of a scale and design which harmonises with the existing building;
- Not adversely affect the amenity of neighbouring properties;
- Maintain the character of the street scene; and
- Not interfere with highway safety

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

<u>Supplementary Planning Document: Walls and Fences</u>

This document establishes the design principles that specifically apply to the consideration of planning applications for walls and fences, whilst also providing guidance for what can be erected without planning permission. Some key points raised in relation to this application are;

- The design, the materials used and the height of the wall or fence should relate to the character of the area in which you live or work; and
- Particular care should be taken on site frontages, in other visually prominent locations, or in sensitive settings (close to listed buildings for example)

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *"development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes"*.

Provisions under the 'Town and Country Planning (General Permitted Development) (England) Order 2015'

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) states that the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure is permitted development providing that the height of the gate, fence, wall or means of enclosure erected or constructed wouldn't exceed 2 metres above ground level or 1 meter when adjacent a highway.

This is an important consideration with this application as it represents a potential fallback position, whereby gate, fence, wall or other means of enclosure can be erected without planning permission, because the Government considers the impact of such development to be modest.

Consultations

No consultees were consulted for this application.

Representations

Neighbour notification letters were sent to surrounding properties, no comments were received.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions and alterations to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Visual Amenity

With regards to visual amenity the issue to consider for this is the impact the proposal would have on the character of the street scene. The dwelling fronts onto Commonwealth View with only the front of the dwelling open to the street scene. The applicant seeks permission to replace the existing boundary treatment to the side boundary with the adjoining dwelling (10 Commonwealth View) at the rear of property with the installation of a 2.2-meter-high fence.

The previous boundary treatment was also a fence, and this is proposed to be replaced. The fence will not be present in the street scene nor be highly visible from public vantage points. The material proposed are suitable for the use. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

No objections were received from the neighbouring properties. The proposed fence will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing. The fence is only 0.2 meters taller than what could be erected using permitted development rights. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety.

Recommendation

Approve with conditions