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**2023/0512**

**Applicant:** Hazel Bew

**Development:** Erection of new fence with gate (total height of 2.7m)

**Address:** 3 Old Mill House, Roughbirchworth Lane, Oxspring, S36 8AP

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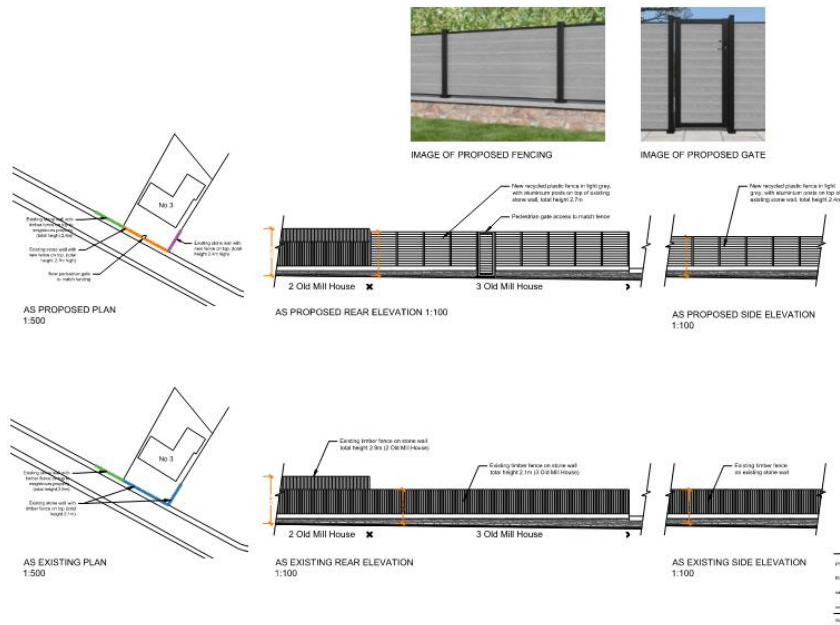
### Site Location & Description

The application site forms part of a new development of houses located off Roughbirchworth Lane, backing onto Sheffield Road in Oxspring. The application is regarding the rear boundary facing Sheffield Road. This part of Sheffield Road has a mix of house types and is predominantly residential. The immediate and surrounding area is characterised with low rise stone built boundary walls and some hedges. Two new build properties have the rear elevation and gardens facing Sheffield Road. These properties are bound by the traditional low rise stone wall, however as part of the development a wooden fence has been erected on the inside of the stone wall to provide privacy for the residents. This fence reduces in height slightly to the rear of the host property, however, is still providing adequate privacy. It appears that the neighbour within the adjacent new property has attached some additional wooden panelling to the fence to raise its height without the benefit of planning permission. The existing fence measures 2.1m in height. There are some other lower wooden fences evident to the sides of some properties along this part of Sheffield Road.



### Proposed Development

The proposal is to remove the existing wooden rear boundary fence and replace it with a new recycled plastic fence in light grey. Aluminium posts will be erected on top on the existing stone wall and a pedestrian access will be created with a gate to match the fence. The proposed fence will measure 2.7m at the lowest point, 2.9m at the highest, and 2.4m along the side boundary.



## Policy Context

Planning decision should be made in accordance with the local plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

## NPPF

The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches significant 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 achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces, and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### Local Plan

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

Policy SD1: Presumption in favour of Sustainable Development

Policy GD1: General Development

Policy T4: New Development and Highway Improvement

Policy D1: High quality design and place making

SPD: House extensions and Other Domestic Alterations

DPD: Walls and Fences

These policies are considered to reflect the Principles in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

### **Consultations**

Highways – No objections

Parish Council – No comments

### **Representations**

1 Neighbour has an objection to the proposal but the following concerns:

- Impaired view for vehicles leaving neighbouring driveway
- Side wall not in applicants' ownership

### **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. As such extensions and alterations to domestic properties are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

#### Residential Amenity

The issue with regards to ownership is not something that the planning department can assess within this application, this is a private matter between the applicant and the objector. The objecting neighbour has concerns with regards to the proposed fence being raised in height and moved above the existing stone wall, further impeding the existing visibility when leaving the neighbouring driveway. The highways implications will be assessed within the highway safety section below.

### Visual Amenity

The fence is positioned within a visually prominent location on Sheffield Road. Sheffield Road has a pattern of low height stone walls which contribute to the openness and good visibility of the area. This pattern is followed within the immediate residential area except for the neighbouring property and host property, who have a wooden fence erected behind the existing stone wall to provide privacy to their rear gardens. It is noted that the neighbour has extended the height of their rear fence by approximately 1m without the benefit of planning permission.

It is acknowledged that the existing fence is not completely in character with the surroundings. It is noted that there is evidence of wooden fencing located within proximity to the site. The wooden fencing belonging to the new build properties are matching and should be approximately 2m in height and are located to the rear of the stone wall which alleviates the visual impact somewhat.

The increased height, design and materials of the proposed fence and gate do not relate to the character of the area. The high recycled plastic fence, whilst being completely at odds with the street scene, also has an unsympathetic appearance which has a detrimental impact on the openness and visual amenity of the area. The proposal is therefore in conflict with Local Plan Policy D1 and SPD: Walls and Fences and as a result is unacceptable in terms of visual amenity.

### Highway Safety

In terms of highway safety the proposal raises some concerns from the objector. The highways department were consulted and have concluded that the proposal is acceptable in terms of highway safety. The existing fence is already more than 2m in height, and as such the proposed increase in height is not expected to have an adverse impact from a highways point of view. As a result the proposal is not in conflict with local plan policy and is therefore deemed acceptable from a highways perspective.

### **Recommendation**

#### **Refuse**

In the opinion of the Local Planning Authority the proposed 2.7m high fence is a visually intrusive feature, to the detriment of the street scene, due to its height, prominent location, design and use of inappropriate materials. As such, it is contrary to Local Plan Policy D1 and Supplementary Planning Document: Walls and Fences