
2023/0921**Applicant:** Mrs K Pabiasz**Address:** 133 Merrill Road, Thurnscoe, Rotherham, S63 0PH

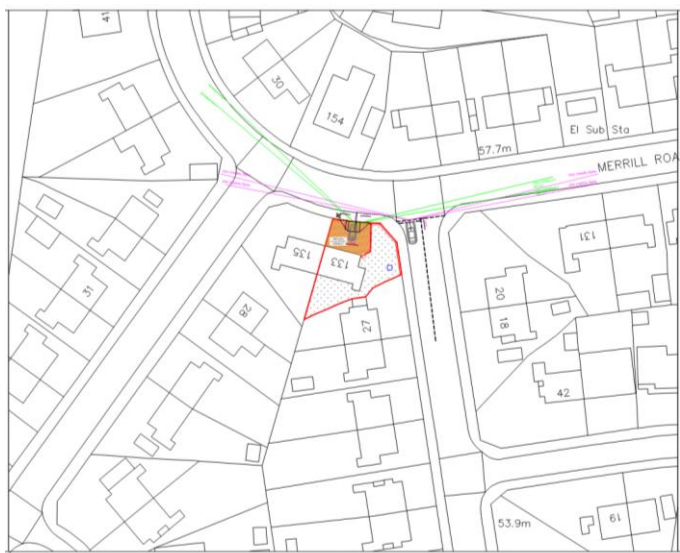
Description: Raise height of boundary fence and brick pillars, erection of new fence and gate within the property boundary and install of new block paved drive to replace existing surface

Objections: There is one objection from consulted neighbour**Site & Location Description:**

Merrill Road is located on a housing estate in the northwest of Thurnscoe, leading off Houghton Road, which acts as the main thoroughfare through Thurnscoe. The first part of Merrill Road was shown on the 1930 Historic map but the remaining section of the unusual, shaped addition, which curves around and before returning in the same direction was presumably completed in the 1950's. Both sections of the estate seamless blend together and appear to be ex-local authority style housing of a generous size, constructed of red brick and complete with reasonably sized enclosed front and rear gardens.

The applicant dwelling is situated in a corner plot at the end of the curved section of the street, the attached neighbour at No. 135 is the last odd numbered dwelling on the street. St. Peters Gate, adjacent to the side elevation of the dwelling leads back down to Merrill Road. Beyond No. 135, the road merges on to Burnside, which itself leads up from a junction with Merrill Road. The dwelling is of typical style of the area, constructed of mixed-red brick, a red tiled roof. New UPVC windows have recently been installed which have now lost the previous cross-hatched appearance, which was out of character with the area. There is an attached brick outbuilding on the side elevation of the dwelling, whilst the garden was predominantly lawned except for a concrete slabs, which created a path and tracks within the lawn for parking a single vehicle off road; This has recently changed to an area lawn and compound gravel in preparation of the proposed driveway. Two privet hedges act as a boundary between the two neighbouring dwellings, with the one between the dwelling and No. 27 Peters Gate particularly large. A low brick wall topped with a low wooden fence currently surrounds the dwelling with a now extended gap, directly in front of the front elevation, for vehicular access.

Boundary treatments within the surrounding area vary greatly. Some dwelling feature very low walls or open front boundaries, some feature large privet hedges whilst some feature higher fences or fence topped walls. Of note is the neighbouring address opposite to the dwelling's side elevation. Although on St. Peters Gate (No.20), the dwelling has a side boundary fronting Merrill Road. In common with the application dwelling, No. 20 has a low brick boundary wall, but it appears a recent addition (without planning consent) has been an approximately 1m+ high fence installed on top of the low brick wall.

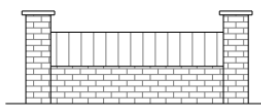


Relevant History: None

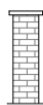
Proposed:

The proposal is for replacement and consequential increase in height of the boundary fence installed atop of the boundary wall and the installation of brick columns to support the fence. Additionally, the installation of a new gate and fence within the garden, and the creation of a block paved driveway in the front garden is proposed. To accommodate the extended driveway, part of the wall and fence on the front elevation of the dwelling would be removed. The fence is to be treated in a natural brown colour identified as 451B00 and shown in the extract from the plans below.

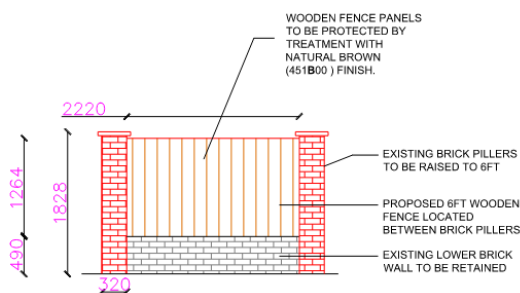
Measurements:	Wall Height	Fence Height	Post (Highest Point)	Total Wall & Fence Height (Excluding Posts)
Existing	0.48m	0.44m	1.19m	0.92m
Proposed	0.48m	1.26m	1.82m	1.74m



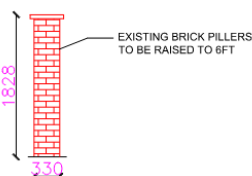
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



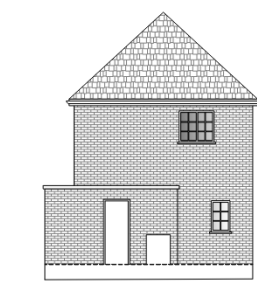
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



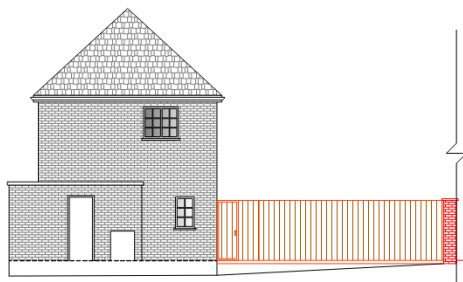
Timber panels treatment colour (451B00)



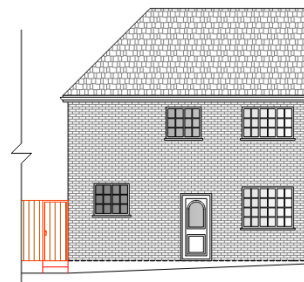
EXISTING SIDE ELEVATION



EXISTING FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION

Local Plan Designation: Urban Fabric

Conservation Area: No

Consultees:

Highways DC: Following two revisions of plans, Highways are now satisfied that due to the curvature of the road, visibility splays would be maintained. Two conditions and an informative in relation to maintaining highway safety and obtaining the potentially necessary consent for works affecting the highways have been requested.

Drainage: Because no drainage was shown on the original plans, a condition to ensure all surface water is retained on site and not allowed to run onto the public highway has been requested.

Neighbour Representations:

Letters were sent to nearby addresses. One neighbour objected on the grounds of loss of outlook, claiming they would lose their view of the street scene due to the higher nature of the proposed boundary treatment at the application dwelling. One Neighbour offered a comment of support.

Policy Context

Planning decisions should be made in accordance with the development 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 Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site

allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process. The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

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 D1 High Quality Design and Place Making

Policy T4: New development and Transport Safety

Supplementary Planning Documents (SPD)

Walls and Fences (adopted 2019)

Principle of development

The site is located within land designated as Urban Fabric. The installation of new or replacement walls and fences, or the alteration or addition to existing walls and fences may require planning permission if they exceed a height of 1m, when adjacent to the highway or 2m elsewhere. They may be approved if they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

Residential Amenity

The attached neighbour of the application dwelling has made an objection on the grounds of loss of outlook. Whilst I can appreciate their concerns, on balance they have not directly lost their outlook but rather the outlook obtained by looking over a boundary treatment and through their neighbour's garden. This outlook from within the dwelling would be diagonally from their front elevation window or sideways from within their front garden. In relation to the immediate outlook, part of the existing wall is proposed to be removed with all except a small section of wall and new fencing located in the corner of the applications dwelling on the front elevation, adjacent to the neighbours dwelling. Furthermore, any outlook, in any direction from their front window or front garden would be impaired by a large privet hedge which acts as the boundary treatment of their dwelling. Whilst the ownership of the hedge between the neighbour and applicant dwelling is undetermined, the remaining front and opposite side of privet hedge would belong to the neighbour. In the case of the applicant's other immediate neighbour on St. Peters Gate, an even taller privet hedge creates the boundary treatment between the dwellings, so the proposed fence would have a negligible impact on the neighbour or dwellings beyond.

Beyond the neighbouring dwellings, the proposal would have a minimal effect on residential amenity. With a large fence boundary treatment at 20 St. Peters gate there could possibly have been a sense of enclosure at the junction of Merrill Road and St. Peters Gate. However due to both streets being amply wide, and with both boundary treatments curving around from St. Peters Gate onto Merrill Road, such a sense of enclosure would not be created.

Visual Amenity

Undoubtedly the visual amenity of the area would be impacted by the higher fence and brick columns aspect of the proposal. However the style of the boundary treatment adjacent to the road would be similar to the existing design, utilising brick pillars and a dark colour for the fencing which harmonises with the existing boundary treatment and also the existing property. This is different to the much lighter fencing opposite at 20 St Peter's Gate which also doesn't have the brick pillars in place to break up the extent of the fencing. Given there are different boundary treatments in the area, including fencing, railings, hedges, and brick walls it is not considered that the design of the proposal would be of significant detriment to the locality to warrant refusal of the application.

Highway Safety

A key component in considering the impact of the fence and to a lesser extent the proposed driveway would be any potential impact on highway safety. After careful consideration of the proposal, Highways DC confirmed that the proposal does not pose harm to highway safety.

Summary

As has been highlighted above, the proposal only creates an insignificant impact to the loss of outlook for one neighbouring dwelling. Visual amenity within the area will be impacted but only by a minor amount and the applicant has taken measures to minimise this. In contrast overall visual amenity has already been affected by multiple types and heights of boundary treatments within the area. Finally, as highway safety would not be impacted, and conditions will be added to ensure this, and that surface water is retained on site, in overall consideration of the proposal it is recommended for approval.

Recommendation: Approve with conditions