

STATEMENT IN SUPPORT OF AN APPEAL AGAINST THE DECISION BY BARNSELY M.B.C. TO REFUSE TOWN & COUNTRY PLANNING PERMISSION FOR A BOUNDARY WALL AND FENCE AT 8 VICAR CRESCENT, DARFIELD

REASONS FOR REFUSAL

The reason(s) for the Council's decision to refuse planning permission is/are:

1 In the opinion of the Local Planning Authority, the size and design of the proposed wall and fencing are visually at odds with the consistency of the street scene and would be impactful upon the openness and good quality visibility of the area. The proposed is therefore harmful to the street scene resulting in a detrimental effect on the openness and visual amenity of the area and contrary to Local Plan Policy D1: High Quality Design and Place Making.

2 In the opinion of the Local Planning Authority, the height and location of the proposed wall and fencing would seriously compromise visibility and pedestrian intervisibility on the corner of Vicar Crescent contrary to highway safety and Local Plan Policy T4: New Development and Highway Improvement.

COMMENTS

The Appellant is seeking approval for a boundary wall and fence that will be visually attractive and provide some level of privacy.

The works are relatively expensive and will include high quality materials with panels being purpose made to suit the proposed heights.

It should be noted that across the Borough there are many and varied examples of front boundary treatments that have been erected without Town & Country Planning approval. Many are of inappropriate design and materials and compromise highway safety. The LPA do not appear to have the desire or resources to commence enforcement action in these cases.

The proposal is to remove the existing boundary wall and boundary trees and hedges. This is to be replaced with a low boundary wall and proprietary fence panels to a maximum height of 1200mm above footway level.

It is believed that only the wall and fence adjacent the highway that exceeds 1m in height requires Town & Country Planning approval. All other fencing proposals shown on the submitted drawings are permitted development

In this instance the Appellant has sought approval for an entirely compatible and attractive proposal that improves highway safety.

Further, the proposal is superior to similar boundary treatments in the locality.

The existing situation, prior to commencement, was as shown below



VIEW TO THE SITE FROM THE SOUTH



VIEW TO THE SITE FROM THE NORTH

To assess the proposal reference must be made to the Appellant's permitted development rights. The General permitted Development Order would allow boundary treatment of any material to a height of 1m.

In this instance the Appellant is seeking consent for a high-quality fence that is only 200mm higher than the permitted development limit.

While the context of the fence may be considered important it must be noted that there are many instances of inferior boundary walls and fences in the locality. Examples of these are shown below to illustrate that there is no local vernacular of any significance or quality.



1EXAMPLE OF FENCE AT JUNCTION OF VICAR CRESCENT, VICAR ROAD & SPRINGFIELD CLOSE



EXAMPLE OF WALL AND TIMBER FENCE ON VICAR CRESCENT



STONE WALL AND TIMBER FENCE ON VICAR ROAD



JUNCTION OF VICAR ROAD AND VICAR CRESCENT



JUNCTION OF VICAR ROAD AND VICAR CRESCENT

In the context of this locality and considering what is acceptable as permitted development it is considered that the proposal is not visually at odds with the consistency of the street scene.

By comparing the proposal with the varied materials and heights of boundary treatments in the locality the openness and good quality visibility of the area will not be significantly affected.

The proposed is therefore compatible with the street scene in accordance with the Local Plan Policy D1: High Quality Design and Place Making.

it should be noted that while the boundary planting did provide some privacy it also significantly compromised forward visibility in each direction.

Further, the maintenance and management of the trees and bushes along the boundary were becoming an unwanted burden on the Appellant.

It can be seen from the photographs above that the forward visibility on the highway adjacent the appeal site was severely restricted by the site landscaping.

The photographs also show that generally, the forward visibility at junctions in the locality is severely restricted by walls, fences and hedges.

This will encourage drivers to moderate their speed.

The Department of Transport Manual for Streets includes recommendations for forward visibility.

Technically forward visibility is the distance a driver needs to see ahead to stop safely for obstructions in the road.

However, there will be situations where it is desirable to reduce forward visibility to control traffic speed.

Vicar Crescent is a traditional estate road with a width of approx. 5m with 1.8m wide footways each side. As implied in the name Vicar Crescent formed a horseshoe from Vicar Road.

Therefore, a reduction in forward visibility will serve to reduce traffic speeds.

Due to the configuration of the road and the number of properties served it is anticipated that vehicle movements and traffic speeds will be low.

Therefore, the limited forward visibility will not compromise highway safety. In reality the removal of the trees and bushes will improve highway safety.