

2021/0801

Mr Anthony Foster

8 Vicar Crescent, Darfield, Barnsley, S73 9LB

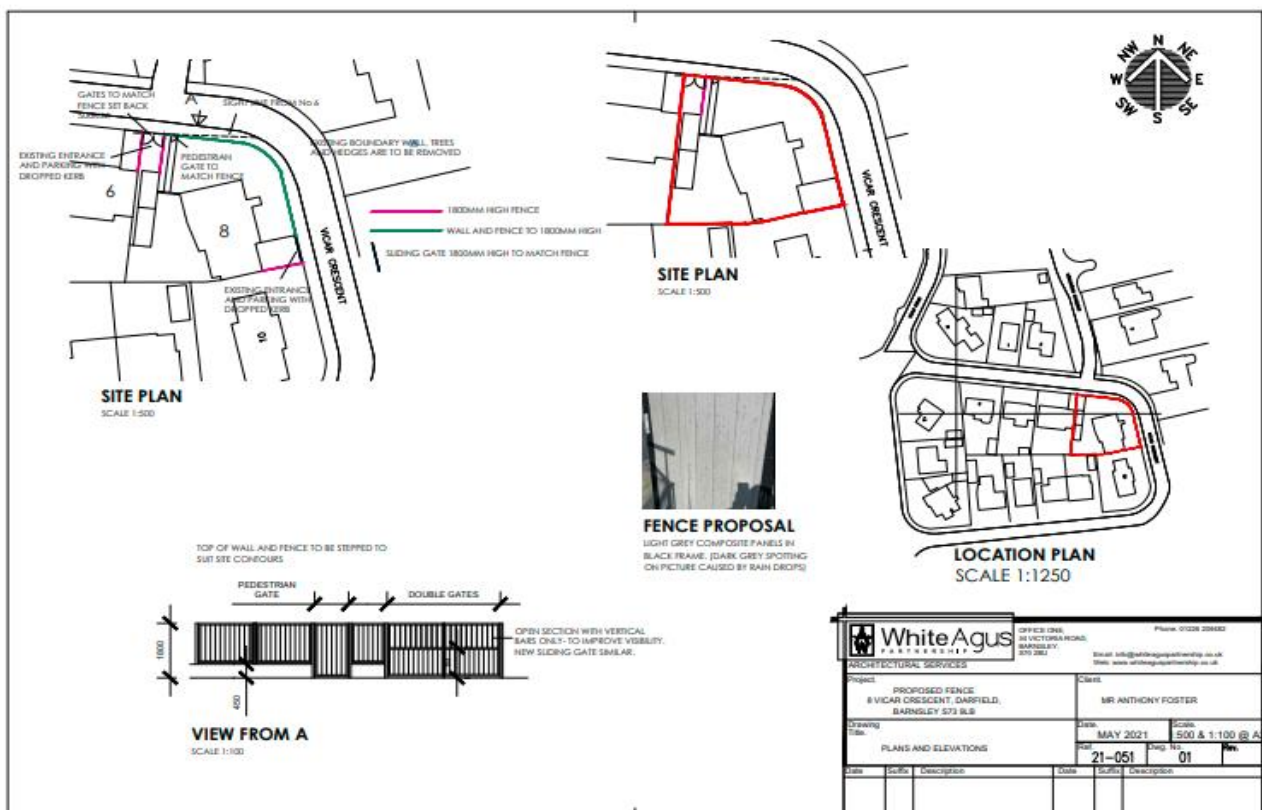
Proposed boundary wall and fence

Site Description

The dwelling is a detached bungalow located in Darfield. The dwelling is of redbrick construction and features a pitched roof. Vicar Crescent has a fairly uniform street scene consisting of other detached bungalows that are of similar construction all be it with some variations in materials. All of the properties have some form of boundary treatment to the front, the majority being low bricked walls. The dwelling has an integral double garage with parking area on the front elevation as well as detached garage and small driveway set to the north west corner of the plot.

Proposed Development

The applicant is seeking approval for the erection of a boundary wall and fence to form the boundary between the dwelling's curtilage and the footway of Vicar Crescent. The wall section will be on the bottom and have a height of 0.45 meters with the fence on top, taking the total height to 1.8 meters. There are also proposals for a double gate to serve the existing detached garage and sliding gates to serve the existing integral double garage. These gates are also proposed to be 1.8 meters in height. Additionally, two sets of fencing are proposed, both 1.8 meters high and to be constructed at the boundaries with the two neighbouring dwellings (6 and 10 Vicar Crescent) with an additional fence adjacent the existing driveway at the boundary with No. 6. The proposed fence materials are light grey composite panels set in a black frame.



Planning History

B/80/0053/DA – Erection of garage (private)

B/90/0454/DA – Erection of garage extension

Policy Context

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

The Local Authority (LPA) has also adopted a series of Supplementary Planning Documents (SPD) and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan Allocation – Urban Fabric

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

The Barnsley Local Plan (BLP) was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the Planning Inspector following the examination process.

This means that it now takes on full weight for the decision-making process as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in 2000) and the Core Strategy (adopted in 2011). 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.

Policy T4: New Development and Highway Improvement – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Supplementary Planning Document: House extensions and Other Domestic Alterations

This document establishes the design principles that 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***
- ***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.

Supplementary Planning Document: Walls and Fences

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***
- ***Particular care should be taken on site frontages, in other visually prominent locations, or in sensitive settings (close to listed buildings for example)***

Where the erection of a wall or fence does require permission, the main issues are likely to be; the design, appearance and materials, highway safety and the impact on neighbours.

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.

Where a Local Plan is absent 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. This is assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate development should be restricted or 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 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to enhance the opportunities available for improving the character and quality of an area and its functionality.

Consultations

The LPA's Highways Department were consulted and raised concerns over the lack of forward visibility around the bend on Vicar Crescent and from access off neighbouring driveways.

Representations

Neighbour notification letters were sent to surrounding properties, six comments were received objecting to the proposal and in summary raised the following points;

- Visibility will be restricted for vehicular access from neighbouring properties as a result of the proposed fencing
- The proposed wall and fence would be disproportionate to that of the frontage of neighbouring properties
- The proposed wall and fence would not be in keeping with the character of the area
- The proposed wall and fence would create a restricted view of the road for vehicles negotiating the bend at that point
- The proposed wall and fence would have a negative effect on the amenity of neighbouring properties

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 on highway safety.

Visual Amenity

The main issue to consider for assessing this application regarding visual amenity is the impact the proposal would have on the character of the street scene. The proposed wall and fence are positioned within a visually prominent location on the corner of Vicar Crescent. Vicar Crescent has a uniform street scene not just in dwelling tenure but also in dwelling frontage.

There is a consistent use of low bricked walls forming the boundary treatment between the dwellings and the footway, not high fencing as proposed. These walls present the street scene as open plan and therefore are not visually intrusive, henceforth contributing to the increased openness and good visibility quality in the area.

The proposal will not be akin to this, the height, design and materials of the proposed wall and fence do not relate to the character of the area. The 1.8-meter-high wall and fence, whilst been completely at odds with the street scene, also has an unsympathetic appearance and will therefore have a detrimental impact on the openness and visual amenity of the area.

Furthermore, due to the open plan nature of the street scene the proposed neighbouring boundary fences will also be detrimental to the street scene. There is a lack of high boundary fencing present on Vicar Crescent therefore views can be taken through various front gardens without visual impediment. These fences would therefore self-contain the dwelling from these views and ascertain a development that is out of character with the established street scene.

The proposed wall and fence as well as the neighbouring boundary fencing are considered unacceptable in this location and out of character with the street scene of Vicar Crescent. It is considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and as a result is unacceptable in terms of visual amenity.

Residential Amenity

The proposals will have a slight impact on residential amenity by way of the proposed wall and fence being overbearing upon neighbouring properties. This is because of the sharp contrast between the proposal and the existing boundary treatment present at neighbouring dwellings.

Highway Safety

In terms of highway safety, the proposal raises some concerns. The proposed wall and fence and neighbouring boundary fences will have a significant detrimental impact on the visibility of vehicular access from neighbouring properties. The proposed fencing is considerably high, at 1.8 meters in height, which restricts visibility to the detriment of both vehicles and pedestrians. This impact is confounded by the location of the proposal on the corner of Vicar Crescent.

Additionally, the proposal is shown to detrimentally impact on visibility for vehicles egressing the existing driveway (of 8 Vicar Crescent) and that of the neighbouring property (6 Vicar Crescent). Furthermore, the proposal does not account for visibility splays of 2 meters x 2 meters where the private drives join the rear of footway which are to be kept free of obstructions greater than 0.9 meters, in the interests of pedestrian safety.

The proposed wall and fence as well as the neighbouring boundary fencing are considered to be detrimental to visibility on Vicar Crescent. It is considered to be contrary to and Local Plan Policy T4: New Development and Highway Improvement and as a result is unacceptable in terms of highway safety.

Recommendation

Refuse

1. In the opinion of the Local Planning Authority, the size and design of the proposed wall and fence and neighbouring boundary fences 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 fence and neighbouring boundary fences 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.