

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0005/RET 23.01.2015	Mrs L Gwilt 22 Priorsgate Oakdale Blackwood NP12 0EL	Retain wooden fence to front of property 22 Priorsgate Oakdale Blackwood NP12 0EL

**APPLICATION TYPE:** Retain Development Already Carried Out

### SITE AND DEVELOPMENT

Location: The application property is located on Priorsgate, Oakdale.

House type: Two storey detached property.

Development: Retention of a boundary fence to the front of the property.

Dimensions: The boundary fence measures 0.98 metres in height and 13 metres in length along the boundary between No. 22 and No. 23 Priorsgate.

Materials: Close boarded timber fence.

Ancillary development, e.g. parking: None is proposed.

### PLANNING HISTORY

2/08324 - 55 No. residential units with garages/parking together with associated drainage and highway works. - Granted 07.10.1988.

08/0773/FULL - Erect single storey rear extension for use as conservatory - Granted 11.08.2008.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary.

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways), and advice contained in Supplementary Planning Guidance LDP7: Householder Developments (November 2010).

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NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

### ADVERTISEMENT

Extent of advertisement: Seven neighbouring properties were consulted by way of letter and a site notice was displayed near the site.

Response: Eight responses were received, seven were objections.

### Summary of observations:

- Detrimental to the visual amenity of the area;
- Sets precedent for similar future development;
- Devaluation of neighbouring properties;
- Detrimental to highway safety.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?  
Crime and disorder are not considered to be an issue for this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

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ANALYSIS

Policies: The application seeks retrospective planning permission to retain the boundary treatment to the front of No. 22 Priorsgate, which is sited along the boundary between the application property and No. 23 Priorsgate. Householder permitted development rights allow the erection of boundary treatments up to 1 metres in height without the requirement for planning permission, however, in the case of the Priorsgate development, householder permitted development rights for boundary treatments to the front of properties were removed by way of condition attached to the planning permission (Ref: 2/8324). Condition 6 of planning permission 2/8324 states:

"The gardens of the proposed dwellings which front onto the individual plots shall be turfed on the open plan concept and notwithstanding the provisions of the Town and Country Planning General Development Order 1977 to 1985 no other fences, walls, gates or other structures shall be placed between the houses and the rear of the footway.

REASON: To ensure the gardens of the proposed dwellings fronting a road are laid out in a satisfactory manner and that this open plan concept is maintained in the interests of the visual appearance and amenity of the site."

Therefore, even though the fence as erected does not exceed 1 metre in height, by virtue of the above condition, it requires planning permission. In terms of the acceptability of the boundary treatment as constructed, it should be considered in terms of its design and setting and subsequent impact on the visual amenity of the surrounding area, as well as its impact on highway safety.

In design terms, whilst it is acknowledged that there are very few examples of solid boundary treatments to the front of properties in the Priorsgate development, given the limited scale of the boundary treatment, i.e. approximately 1 metre in height, coupled with the position of the application dwelling at the end of a cul-de-sac, it is not considered that the fence results in a detrimental impact on the visual amenity of the surrounding area to a degree to warrant a refusal of planning permission. Furthermore, a Condition will be attached to the permission requiring the fence be finished with a suitable stain, most probably Oak, to ensure it integrates as well as possible with existing materials in this part of the streetscene, i.e. there are numerous examples of Oak effect windows.

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In terms of highway safety, the Transportation Engineering Manager raises no objection subject to a condition requiring the final metre of the fence nearest the highway be reduced to 0.6 metres in height. The applicant has confirmed she is happy to comply with such a Condition. This Condition will ensure adequate visibility of the pavement for vehicles entering and exiting the relevant driveways.

Comments from consultees: The Transportation Engineering Manager raises no objection subject to condition.

Comments from public: Detrimental to the visual amenity of the area - This issue has been addressed above. Sets precedent for similar future development - Due to the aforementioned condition any future boundary treatments to the front of properties on Priorsgate will require planning permission, and each case shall be considered on its merits, however approval of this proposal would be an indication that the fencing to the front of the houses in this area is acceptable in principal. Devaluation of neighbouring properties - This is not a material planning consideration. Detrimental to highway safety - This issue has been addressed above as well as in the relevant Condition.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The first metre of the fence from its junction with the adopted highway shall be reduced to 0.6m in height within 1 calendar month from the date of this consent.  
REASON: In the interests of highway safety.
- 02) Within 1 calendar month of the date of this consent, the fence hereby approved shall be stained in a colour that shall have been first agreed in writing with the Local Planning Authority.  
REASON: In the interests of the visual amenity of the area.

