

Report of the Chief Executive

APPLICATION NUMBER:	20/00404/FUL
LOCATION:	1 Totland Road Bramcote Nottinghamshire NG9 3ER
PROPOSAL:	Construct 1.8m high close boarded fencing

Councillors Tyler and Watts have requested that the application is determined by the Planning Committee.

1 Executive Summary

- 1.1 This application seeks planning permission for a 1.8m high fence. The dwelling has recently been extended (19/00329/FUL) and a 1.8m high fence has been constructed 1m into the site (without planning permission), parallel with Totland Road and enclosing the garden. It is proposed to move this fence so it abuts the pavement.
- 1.2 The proposed fence whilst creating a more enclosed site is not considered to be harmful to the character of the host dwelling, although it is considered to have a minimal impact on the open character of the surrounding area. It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring properties. However, as the fence adjoins the pavement and is 1.8m high, this will restrict visibility for drivers when entering and exiting the driveway.
- 1.3 The benefits of the proposal are that it would create an extended private amenity space for the occupiers of the property, would have an acceptable design and would not have a significant negative impact on neighbour amenity. The negative impacts would be the loss of the open character of the area (though neighbouring properties on Grangewood Road are enclosed up to and along the highway boundary) and that it would restrict visibility.
- 1.4 The fence is considered to contravene Policy 17 (4e) of the Broxtowe Local Plan Part 2 (2019) and therefore the Committee is asked to resolve that planning permission be refused.

Appendix 1

1 Details of the Application

- 1.1 The proposal is for a 1.8m high fence adjacent to the highway. The fence would extend for 11m on the boundary adjacent to Totland Road (in-between the applicants driveway and the side boundary of the site with 87 Grangewood Road). Beside the driveway, the fence would continue towards the bungalow for 7.7m enclosing the side garden area.
- 1.2 During the course of the application, amendments have been sought to chamfer the corner of the fence beside the driveway and Totland Road to increase visibility, in the interests of pedestrian and highway safety. The applicant has not agreed to this change.

2 Site and Surroundings

- 2.1 The property is a detached bungalow with a hip roof, at the front there is a smaller hipped roof and a gable roofed porch. Towards the side garden there is a single storey extension with a hip continuing off the main roof. At the rear, is a flat roofed extension bounding with the neighbouring property on Rivergreen Crescent. The property has a cream render finish with timber cladding on the porch and under the front windows.
- 2.2 The front and side boundaries (with Totland Road/ Rivergreen Crescent) are open. Accessing Totland Road there is a block paved driveway with space for 3 cars then to the front, there is a lawned area. At the side, beyond the driveway on Totland Road there is a 1.8m high fence (set back from the highway, but adjacent with no planning permission).
- 2.3 The site is located in a Surface Water Flooding area and there is a Ground Water Flood Risk with the Tottlebrook running along the boundary with the neighbouring Grangewood Road property.

3 Relevant Planning History

- 3.1 Planning permission (19/00103/FUL) was granted for a single storey side extension and front porch, to render the existing dwelling and add timber cladding. A non-material amendment was then agreed to change the internal layout to add two additional bedrooms instead of a living room (increasing the property from a 3 to 5-bedroom property) and window changes. The property has undergone other permitted changes such as removing planting to the front and tree removal in the garden area, extending hard surfacing and a wider dropped kerb to the highway, re-constructing the rear extension.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development

- Policy 1: Climate Change
- Policy 10: Design and Enhancing Local Identity

4.2 Part 2 Local Plan

4.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity

4.3 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultation

5.1 The applicant notified x neighbours of the application and three site notices were posted (due to CV19), with one objection received.

5.2 The reasons for objections can be summarised as follows:

- Surrounding houses have open front gardens, this will be an eyesore and the only dwelling with a high fence at the front.
- More concrete will increase flooding, Tottlebrook flooded this year and had a huge impact on some of the local gardens (there was a foot of water in neighbouring gardens – photos provided) – water needs somewhere to flow and high barrier fencing on the front garden will prevent water flowing towards the drain which is on Totland Road.

6 Assessment

6.1 The main issues for consideration are the impact on the character of the area and highway safety.

6.2 Design and character of area

6.2.1 In terms of mass and scale, it is considered that the fence does not represent a disproportionate addition as it encloses the main garden area, with the open character retained to the front and side (Rivergreen Crescent).

6.2.2 The design is of a standard 1.8m wooden fence; there is no fencing of this height observed in the immediate area, though there are higher hedgerows to the boundaries of the two neighbouring properties on Grangewood Road (boundaries along Totland Road).

6.2.3 The fence is a close boarded timber fence with concrete gravel boards and posts, the use of these materials is considered acceptable.

The fence has already been constructed (though currently with a 1m setback from the highway). From the junction with Grangewood Road, the fence would be partially hidden behind no. 87 Grangewood Road's hedge and from Rivergreen Crescent, the character is retained with the front and side open to the highway. Therefore, it is considered that the proposed fence would have a minimal impact on the street scene.

- 6.2.4 Overall, it is considered that the fence has a minimal impact on the open character of the area and it is considered some form of fence may be acceptable.

6.3 Amenity

- 6.3.1 The fence would not enclose a neighbouring boundary as it would be constructed adjacent to the highway. Therefore, it is considered to have no significant impact on neighbour amenity.

6.4 Highway Safety

- 6.4.1 The proposed fence would be constructed in line with a newly extended driveway, with measures proposed to ensure sufficient highway visibility (e.g. to chamfer the corner of the fence). The applicant has noted that there is a lamppost preventing parking immediately beside the fence, but it is considered the proposal contravenes Policy 17 (4e) '*development (including fences, walls and other structures) should not cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway*'. Therefore, the fence as proposed is considered to have an adverse impact on highway safety as it reduces visibility for drivers exiting the driveway.

6.5 Flooding

- 6.5.1 The site is located within a Surface Water Flooding area and is a Ground Water Flood Risk with the Tottlebrook running along the boundary. A Flood Risk Assessment is not necessary. Whilst it has been noted that the area is prone to flooding, this is unlikely to increase with the building of this fence and the objector has been contacted and advised to contact the Lead Local Flood Authority for further advice.

7 Planning Balance

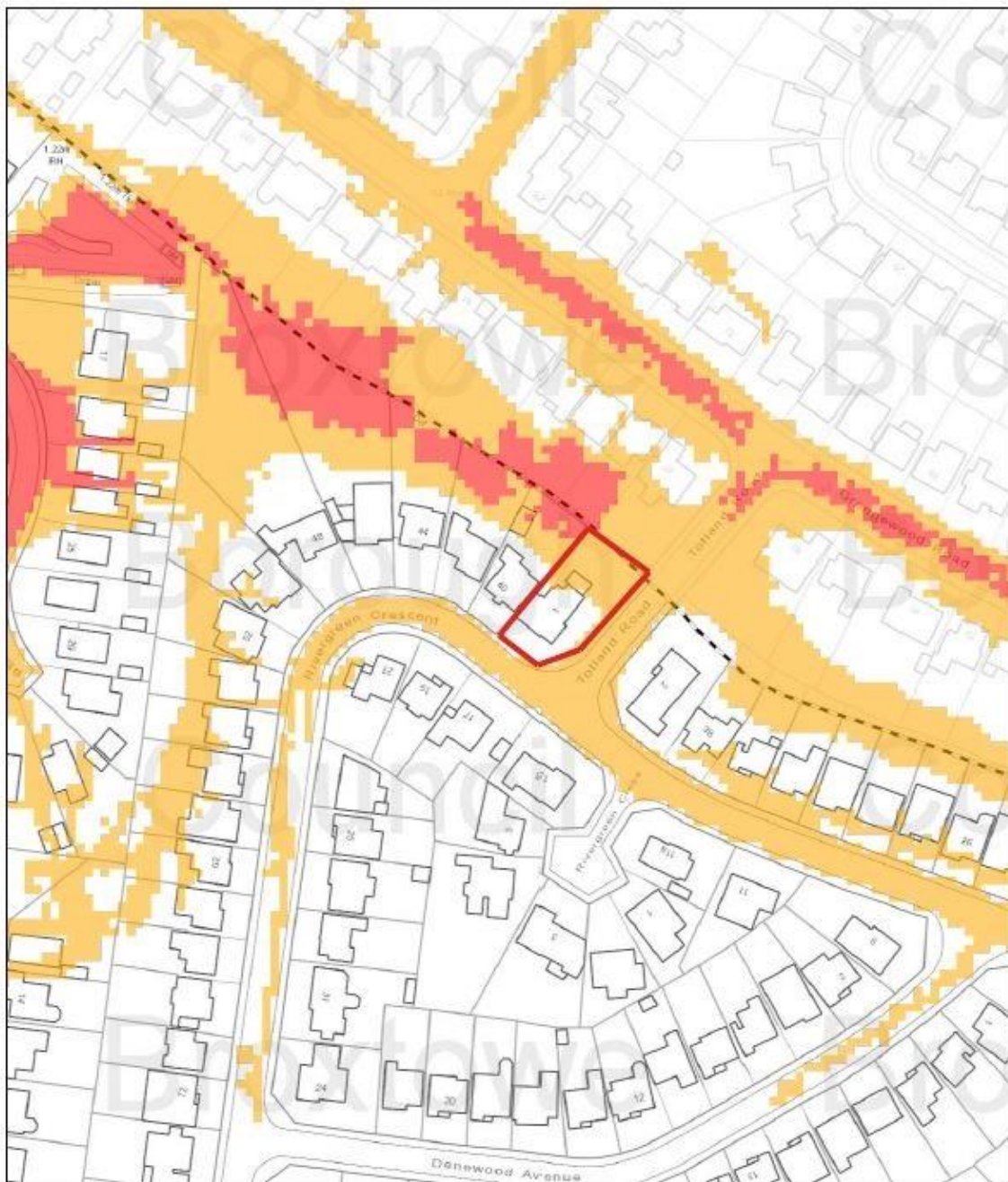
- 7.1 The benefits of the proposal are that it would provide an extended private garden for the occupiers, would have an acceptable design and would not harm neighbour amenity. The negative impacts would be the loss of part of the open character of the area and that the fence would restrict driver visibility and would not be in accordance with the policies contained within the development plan; these matters therefore are considered to outweigh the benefits of the scheme.

8 Conclusion

- 8.1 Overall, it is considered that the proposal is not acceptable and that planning permission should be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following reason.	
	The proposed fence would cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by seeking amendments to try and achieve a policy compliant development.

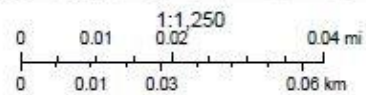
1 Totland Road



9/15/2020, 5:19:06 PM

- Override 1
- Surface Water: 1 in 1000
- Surface Water: 1 in 100

■ Surface Water: 1 in 30



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Photographs



Front (south east) and side (south west) elevations viewed from Rivergreen Crescent.



Totland Road facing south west.



No. 2 Totland Road.



Existing fence

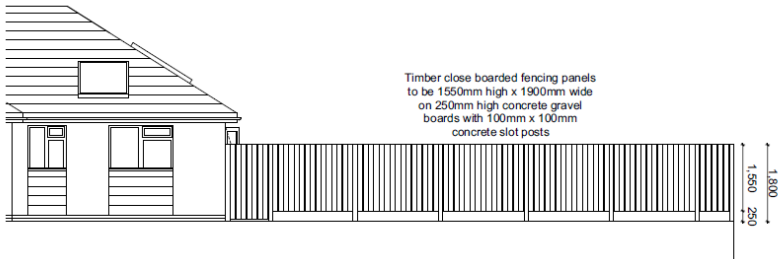
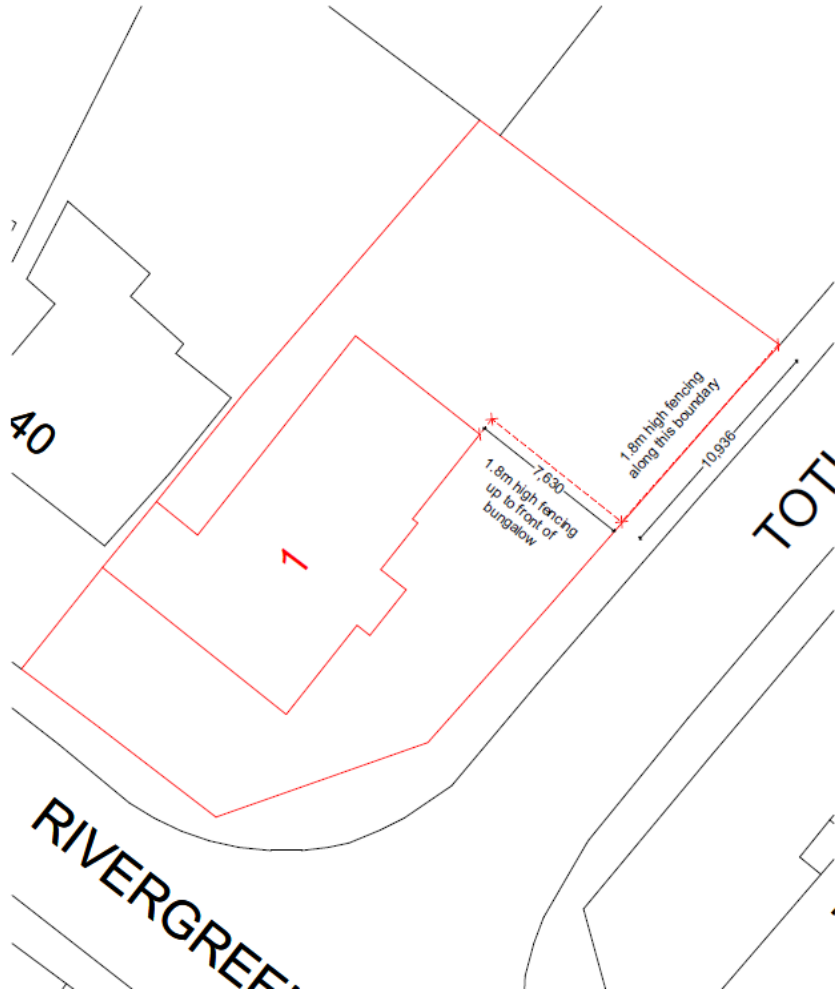


Existing fence.

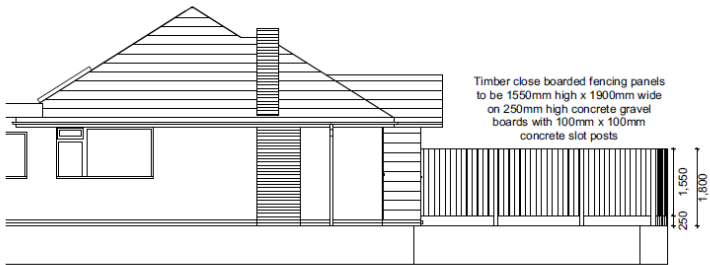


Existing fence.

Plans (not to scale)



Front Elevation facing Totland Road



Side Elevation facing Rivergreen Crescent