

DEVELOPMENT MANAGEMENT COMMITTEE – 21 JUNE 2017

Application Number	3/17/0643/HH
Proposal	Remove 140cm high wooden picket and trellis boundary fence and replace with new 160cm high wooden fence.
Location	1 Mill Cottages, Hare Street Road, Buntingford, SG9 9HX
Applicant	Mr Rhys Thomas
Parish	Buntingford CP
Ward	Buntingford

Date of Registration of Application	20 March 2017
Target Determination Date	15.05.2017
Reason for Committee Report	Applicant is a Member of EHDC staff
Case Officer	Antoine Commenville

RECOMMENDATION

That planning application 3/17/0643/HH be **GRANTED**, subject to the conditions set out at the end of this report.

1.0 Summary

- 1.1 The proposal seeks planning permission for the removal of a 1.4 metres trellis boundary fence and to replace with a 1.6 metres wooden fence.
- 1.2 The main issue in this case is the visual impact of the development on the character and appearance of the surrounding rural area and street scene, particularly given that this is a prominent plot on the approach to Buntingford.

2.0 Site Description

- 2.1 The site lies in the Rural Area beyond the Green Belt wherein limited extensions and alterations are permitted. The application site is an end of terrace dwellinghouse located to the edge of Buntingford.

3.0 Background to Proposals

- 3.1 Application 3/17/0643/HH seeks permission to remove a 1.4 metres trellis boundary fence and to replace with a 1.6 metres wooden panels fence. The boundary fence is to be located between the hosting

property and Hare Street Road to the northern boundary of the application site.

4.0 Key Policy Issues

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 and the adopted East Herts Local Plan 2007. The Buntingford Community Area Neighbourhood Plan has now been adopted and therefore also forms part of the Development Plan:

Key Issue	NPPF	Local Plan policy	Pre-submission District Plan policy	Buntingford Neighbourhood Plan
Principle	Para 6-16	GBC3	GBR2	
The layout, design and external appearance and neighbour impact	Section 7	ENV1 ENV2 ENV5	HOU11, DES3	HD6
Impact upon the Area of Archaeological Significance	section 1 2	BH1	HA3,	
Impact on highway safety and capacity	Section 4	TR2	TRA2	

4.2 Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Emerging District Plan

5.1 The District Plan has been submitted to the Secretary of State for examination. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the Plan has yet to be examined.

5.2 A Buntingford Community Area Neighbourhood Plan has been made by Buntingford Town Council, which means that full weight can now be given to the Neighbourhood Plan policies in decision making.

6.0 Summary of Consultee Responses

6.1 HCC Highway Authority does not wish to restrict the grant of permission. Recommend informative in relation with the storage of material.

7.0 Town Council Representations

7.1 Buntingford Town Council has raised no objections to the application.

8.0 Summary of Other Representations

8.1 No other representations have been received

9.0 Planning History

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/09/0718/FP	Single storey rear extension	Approved	30 June 2009

10.0 Consideration of Relevant Issues

Principle

10.1 Planning Officers are satisfied that the replacement of this fence represents appropriate development in accordance with policy GBC3.

Layout, appearance and neighbour impact

10.2 Local Plan policy ENV1 sets out that all development proposals will be of a high standard of design and reflect local distinctiveness. A similar approach is set out in emerging District Plan policy DES3. Officers are satisfied that the size, scale and siting of the proposed fence will not be harmful to the character and appearance of its setting.

The proposal is also considered to comply with Policy HD6 of the Buntingford Community Area Neighbourhood Plan.

- 10.3 Officers consider that the proposed 1.6 metres high fence replacement would result in a more consistent appearance of improved quality which would generally improve the appearance of the application site. There would be no harm to the street scene or to neighbour amenity, given the location of the site.

Highway safety and capacity

- 10.4 Having regard to the advice received from HCC, it is considered that the fence would not detrimentally obstruct visibility for highway users and not have a severe impact on highway safety given the siting and proposed increase height of the fence.

11.0 Conclusion

- 11.1 The proposed replacement of fence would improve the appearance of the application site and would have no harmful visual impact on the surrounding scene or to neighbour amenity.
- 11.2 For these reasons Officers recommend that planning permission and listed building consent can be granted subject to conditions.

Conditions / Informatives

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102)

Informatives

1. Other legislation (01OL)
2. Highways

You are advised to ensure that the public right of way remains unobstructed during construction works and that any damage caused is made good to the satisfaction of the Highway Authority. For further advice on this matter you are advised to contact County Highways on 01992 555555.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those

policies and the limited harm to the rural character and appearance of the rural area is that permission should be granted.