

5i **3/12/0605/FP – Erection of 2.5 metre high security fence and gates at A414 Timber and Fencing Company, Briggens Home Farm, Briggens Park Road, Stanstead Abbots, SG12 8LB for A414 Timber and Fencing Company**

**Date of Receipt:** 20.04.2012

**Type:** Full – Minor

**Parish:** HUNSDON

**Ward:** HUNSDON

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Approved Plan (2E10)  
Insert '32 Rev C'
3. Landscaping Design Proposals (4P12)  
Delete a, b, c, d, e, f, g, h
4. Landscape Works Implementation (4P13)

**Summary of Reasons for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007, and in particular policies GBC1, ENV1, ENV2) and the National Planning Policy Framework. The balance of the considerations having regard to those policies and the limited harm to the openness, character and appearance of the Green Belt and the security considerations is that permission should be granted.

\_\_\_\_\_(060512EA)

**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract, and is located to the south of the A414 to the east of the settlement of Stanstead Abbots and to the south of Hunsdon. The site is accessed from Briggens Park Road, which in turn is accessed from the A414. The site is used for the manufacture, storage and distribution of timber products and ancillary goods.
- 1.2 This application seeks permission for the erection of a 2.4 metre high

### **3/12/0605/FP**

green polyester coated weld mesh fence to be erected along the east boundary of the site, adjacent to the vehicular access to the site and the public footpath to the east. The fence would be to a length of approximately 70 metres, and would replace the existing boundary treatment which is a 1 metre high post and wire fence. The application also seeks permission to replace the existing entrance gates to the site (which are approximately 1.8 metres high), with 2.4 metre high vertical boarded timber gates.

#### **2.0 Site History:**

- 2.1 Planning permission was granted in 2006 for the use of buildings and land to the west of the application site for the manufacture, storage and distribution of timber products and ancillary goods (ref. 3/06/1561/FP).
- 2.2 Of relevance to the consideration of this application is an enforcement notice served in April 2011 for, amongst other matters, the erection of an unauthorised fence. The fence in question is located approximately 80 metres to the west of the proposed fence and is some 1.8 metres in height and is closeboarded. This Enforcement Notice was appealed, but was upheld in November 2011. The Notice requires the removal of the unauthorised fence. At the time of the Officer's site visit, the fence was still in situ.

#### **3.0 Consultation Responses:**

- 3.1 The Council's Conservation Officer has commented that, against the existing character of the farmstead and wider countryside, the proposal is considered to be acceptable as the proposed design, colour and location of the fencing and gate would not be visually intrusive within the immediate or wider setting, and would have little or no impact on the immediate or wider setting of the Listed Buildings. They therefore recommend permission is granted.

#### **4.0 Parish Council Representations:**

- 4.1 Hunsdon Parish Council has no objections to the application.

#### **5.0 Other Representations:**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

**6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC1	Appropriate Development in the Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping

6.2 In addition the National Planning Policy Framework is of relevance to the consideration of the application.

**7.0 Considerations:**

7.1 The determining issues in the consideration of this application are:

- Principle of development;
- Impact on openness, character and appearance;
- Impact on the setting of nearby listed buildings, and
- Other material considerations.

**Principle of development**

7.2 The application site lies within the Metropolitan Green Belt as designated within the Local Plan. Policy GBC1 of the Local Plan sets out the types of development or uses of land which are considered to be appropriate development within the Green Belt. The erection of fencing or gates does not fall into any of the categories specified in the Policy and Officers therefore consider that the proposal represents inappropriate development within the Green Belt, and substantial weight should therefore be given to the harm by reason of inappropriateness. Planning permission should therefore be refused unless there are other material considerations to which such weight can be given that clearly outweigh this harm by inappropriateness and any other harm.

**Other Harm**

**Impact on openness, character and appearance**

7.3 The proposed fence is of mesh design, and is to be green in colour. As previously set out in this report, the fencing is proposed to be erected along the eastern boundary of the site. To the east of the boundary is a public footpath and a substantial area of mature landscaping. It is

against this backdrop that the fence will be seen. The application also proposes a band of landscaping/hedging in front of the proposed fence.

This will further help to limit the impact of the proposed fence. Taking into account the mesh design of the fence, its proposed colour and the mature landscaping to the east, it is considered that the proposed fence would have a limited impact on the openness, character and appearance of the Green Belt in this location.

- 7.4 In contrast, the existing fencing is located towards to the centre of the site in an open and exposed location and is timber and closeboarded. In determining the appeal against the enforcement notice, the Inspector stated that the fence had a very plain, utilitarian design that made no concessions to its countryside location, and read as an incongruous intrusion which detracts markedly from vistas across the landscape.
- 7.5 The proposed gates would replace existing vertical boarded timber gates at the entrance to the site, albeit they are proposed to be approximately 0.5 - 1 metre higher than the existing gates. However, having regard to the existing gates and the siting of the gates on land which is at a lower level to the rest of the site, it is considered that the proposed gates would not result in any material change to the openness of the Green Belt in this location.
- 7.6 It is the opinion of Officers' therefore that the proposed fence has overcome the concerns expressed by the Inspector in their consideration of the unauthorised fence, and the proposed fence and gates would result in limited harm to the openness, character and appearance of the Green Belt.

#### Impact on the setting of nearby Listed Buildings

- 7.7 The proposed fence and gates are located, at its closest, some 80 metres from the nearest Listed Building. The comments of the Conservation Officer have been noted in the consideration of this proposal and it is considered that taking into account the design, colour and siting of the proposed fence and gates that they would have little or no impact on the setting of the Listed Buildings. It is therefore considered that in this respect the proposal accords with Section 12 of the National Planning Policy Framework.

#### Other Material Considerations

- 7.8 Given that the development, by definition, is harmful, it is necessary to consider whether this matter is outweighed by other issues.
- 7.9 The applicant has set out that the isolated nature of the site has

resulted in a number of thefts from the premises, and as a consequence of these thefts the applicant erected the unauthorised fence on the site (which is the subject of the Enforcement Notice). They state that security of the site and the items stored on it remains a concern, and as this fence is required to be removed it has been necessary to seek an alternative solution to the provision of security for the site.

7.10 Officers acknowledge the isolated nature of the site and the difficulties this has presented in respect of security. In considering the appeal against the Enforcement notice for the unauthorised fence, the Inspector stated that whilst they acknowledged the need to provide some means of enclosure for the business premises, it had not been demonstrated effectively that this could not be more in keeping with the rural character of the area and appropriate to the sensitive settings of the listed buildings. It therefore seems that the Inspector concurs with the view of Officers in respect for the need for some security measures. It is therefore considered that the need for security measures on the site is a material consideration to which significant weight should be attached.

7.11 In order to support this application, the Council would need to be satisfied that the benefits of the scheme clearly outweigh the harm caused by inappropriateness. A balancing exercise must therefore be undertaken between the harm caused and the positive impacts of the scheme. Officers have undertaken that exercise and, for the reasons set out above, consider that the limited harm to the openness, character and appearance of the Green Belt and the matters put forward in support of the proposal (security considerations) are of sufficient weight to clearly outweigh the harm by reason of inappropriateness. On balance therefore Officers accept that there are very special circumstances in this case to justify this inappropriate development in the Green Belt.

## **8.0 Conclusion:**

8.1 Having regard to the above considerations, it is acknowledged that the proposed development is contrary to policy GBC1 of the Local Plan. However, it is considered that very special circumstances exist in this case to justify inappropriate development in the Green Belt, and to warrant a departure from policy. It is therefore recommended that planning permission is granted.