DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0545/23/HFUL
Proposal: Extension of existing fence, at the same height as the existing, with gated access to the garden on the line of the front gable.
Location: 52 Winslow Close
Boldon Colliery
NE35 9LR

Site Visit Made: 29/09/2023

Relevant policies/SPDs

1 DM1 - Management of Development

2 SPD9 - Householder Developments

Description of the site and of the proposals

The applicant property is a detached property located on Winslow Close on the corner of Winslow Close and it is a brick and tiled roof house. The applicant property includes a two-storey side extension (approved under ST/0253/99//DM). To the east of the applicant property is the public footpath and highway, with no. 45 Winslow Gardens beyond, to the west of the property is 53 Winslow Close and to the south of the property is 51 Winslow Close, which due to its orientation has the side gable facing towards the rear of the application site.

The proposal is for a proposed extension of the existing fence which includes a brick wall (to a height of 1.1m) and fence panels above (to a height of 1.1m) creating a total height of 2.2m, at the same height as the existing, with gated access to the garden on the line of the front gable. It will extend the existing fence/ wall along the eastern boundary to the site by 3.4m and would then extend for a further 4.5m, where the fence/wall would link to the gable elevation of the house. This section would include a pedestrian gate. The fence and wall would have a maximum height of 2.2m.

Publicity / Consultations (Expiry date 28/08/2023)

1) **Neighbour responses**

None received.

2) **Other Consultee responses**

Transport Development Officer:

No issues arise from the proposal.

Assessment

The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. The requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good

relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.

In this instance it is considered that the proposals do not raise any specific implications in these respects and therefore it is not considered that a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is required.

Assessment

The main issues relevant to the determination of this application are the:

- Design of the proposal and its impact on visual amenity;
- Impact on residential amenity; and
- Highway safety and parking.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

Design, character and visual amenity

LDF Policy DM1(A) requires extensions and alterations to an existing dwellinghouse to convey sensitive consideration to its surroundings; and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.

SPD9 states that walls, fences and gates, particularly to front and side boundaries can have a significant effect on the appearance of a property and streetscape. The design, height and detailing of boundary walls, fences and gates therefore play an important role in defining the character and appearance of residential areas, houses and streetscape. Some walls, fences and gates may be permitted development and would therefore not require planning permission. The design, height and materials of walls and fences should always complement the original character and materials of the property and neighbourhood. The use of stone, artificial stone, brick walls, good quality timber fencing, metal railings or hedges will usually be appropriate depending on the type and colour of the materials and the character of the area and individual property. The use of less appropriate materials such as blockwork, concrete panels, perforated blocks and industrial fencing will often damage the appearance of a property and the street in which it is located. Expanses of high close-board fencing bordering public areas should also be avoided. With regard to front gardens it is advised that boundary treatments should not exceed 1 metre in height. Any structure above this height will often require planning permission and may not be approved. This also includes infill panel railings and gateposts above this height. Driveway gates should match the height of the main front garden or railings. Highway visibility should always be maintained. When erected beside driveways or on corner sites they can have an adverse impact on sightlines and traffic safety. Both the visual and road safety aspects of a wall or fence will be assessed when proposals are being considered.

The proposed extension to the fence / wall will be constructed from brick and fence panels to match the existing boundary treatment. It is deemed the proposal is a relatively modest addition that matches the existing property boundary treatment and represents a sympathetic addition. Whilst located on the back of the footpath, the open aspect to the east of the property with highway and footway will ensure that the proposal will not be overbearing, dominant or incongruous within the street scene. It is noted that similar means of enclosure along the side boundaries of properties are located within the estate.

The proposal would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Residential amenity

Policy DM1(B) requires a development to be acceptable in relation to any impact on residential amenity.

Due to the nature of the proposal and no immediate neighbouring property located near to the proposed fence / wall, the proposal will not result in significant overdominance, overshadowing, overlooking, loss of outlook or light to a neighbouring property.

For these reasons, it is not considered that the development would result in harm to the amenity of surrounding residents; and would accord with LDF Policy DM1 (B), SPD9, and the requirements of the NPPF, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Highways and parking

The Council's Transport Development Officer (as Local Highway Authority) was consulted as part of the application, and it is deemed no issues arise from the proposal and it would not impact the existing off-street parking and would be in accordance with LDF policy DM1 (G) and the guidance as set out within SPD9.

Recommendation

Grant Permission Householder with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Proposed 3D Site Plan Drg No 111 07.A2 Rev 1 received 20/07/2023

Proposed Elevations Drg No 111 08.A1 Rev 1 received 20/07/2023

Proposed Site Plan Drg No 111 06.A1 Rev 1 received 20/07/2023

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Case officer: Drewe Russell
Signed: Drewe Russell
Date: 17/10/2023

Authorised Signatory: Helen Lynch
Date: 20/10/2023

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