

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 04
Address: 31 Langton Road Bishops Waltham Southampton Hampshire SO32 1GF

Parish/Ward Bishops Waltham

Proposal Description: Replace and erect a 2m high fence (RETROSPECTIVE)

Applicants Name Mr And Mrs Gillies

Case No: 05/01419/FUL

W No: W11226/02

Case Officer: Mr Jeremy Bain

Date Valid: 17 June 2005

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

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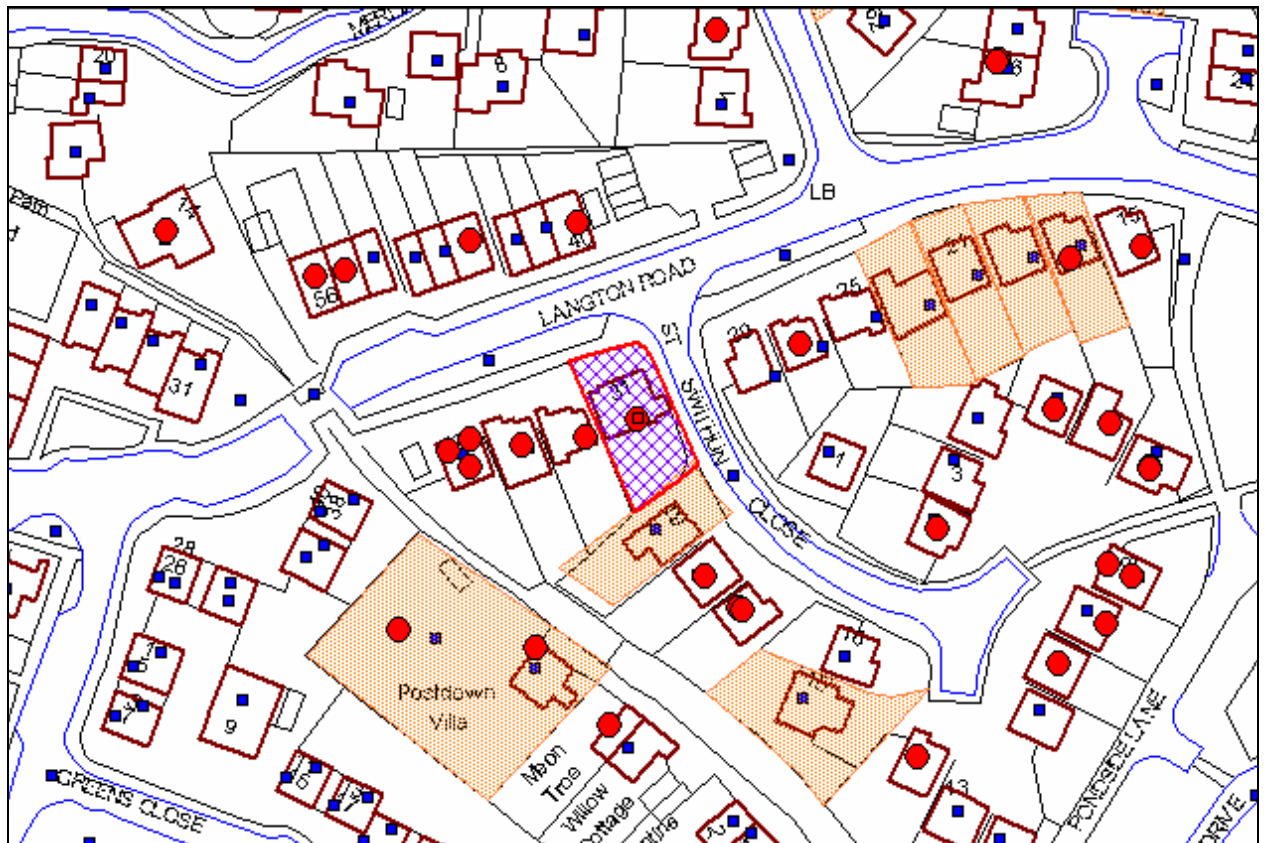
SITE LOCATION PLAN

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Site Description

- The application property is sited on the corner of Langton road and St Swithun Close. The application fronts Langton Close and runs along St Swithun Close.
- The dwelling is a two-storey detached property with an attached single garage.

Relevant Planning History

- **W11226/01** Garage – Permitted 25/08/1989

Proposal

- As per Proposal Description
- The application seeks retrospective planning permission for the construction of a 2metre high fence which runs from the rear of the attached garage along St Swithun Close to the rear corner of the property with 19 St Swithun Close and along the rear boundary with 19 St Swithun Close.
- The fence is constructed of vertical timber planks with concrete posts.

Consultations

Enforcement:

- Retrospective application requested, once breach established.
- No Objection

Engineers:Highways:

- I have visited the site and identified that the fence does not appear to infringe onto highway land normally required for visibility purposes. I also checked the visibility currently available at the site and confirm that satisfactory visibility splays from a minor “x” distance of 2.0 metres back from the carriageway edge exists in both directions.
- No Objections

Representations:

Bishops Waltham Parish Council

- No comment received as of 12/07/2005. Though publicity expires on the 19/07/2005 10 Objections have already been received the application must therefore be referred to committee.

Letters of representations have been received from 10 Neighbours Objecting to the application.

Making the following comments:

- Original plans for this estate stipulates boundary height for fences/walls should be maintained in 1.83 metres
- The fence has been moved from its existing boundary encompassing open land.
- The measurement is incorrect as the fence measures 2.3m which should immediately invalidate the application.
- This is too high and has the effect of closing in the area.

A letter was received from the applicants summarising their justification for the development and rebuttal to an objection letter that was circulated through the neighbourhood.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

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- DP3
- National Planning Policy Guidance/Statements:
- PPG 1 General Policy and Principles

Planning Considerations

The main considerations in respect of this application are:

- Principle of the development, representations received by neighbours, Enforcement Team and Engineers and the impact on the character of the area.

Principle of development

- The application property is located within the policy boundary of Bishop's Waltham where there is a general presumption in favour of residential development that reflects the curtilage size and character of the locality, providing the development complies with proposal EN.5 and other relevant proposals of the Winchester District Local Plan.

Representations received from neighbours

- Objections have been received commenting on the legal boundary of the property, this is a civil matter between the applicants and the adjoining neighbour, not a material planning consideration.
- The case officer has been on site and measured the fence and is satisfied that the fence does measure 2metres in height when measured from the inside of the applicant's property.

Impact on character of area

- There is several examples of high level boundary treatments within close proximity to 31 Langton Road.
- The fence is a visible feature within the street scene of Langton Road and St Swithun Close however it is not considered to be a visually intrusive form of development that is detrimental to the character of the immediate or wider street scene.
- The adjoining property has recently been extended towards the boundary fence, it is considered neither the height nor the siting of the fence adversely impacts on the amenity of the neighbouring property, as it still retains an open frontage.

Recommendation

APPROVE – subject to the following condition(s):

01. The fence is to be stained or painted to harmonise with it's surroundings. Details of finish shall be submitted to and approved in writing by the Local Planning Authority within three months from the date of this permission. The approved details shall be implemented within six months of the date of this permission and thereafter maintained.
01. Reason: To protect the amenities and character of the Countryside.

Informatives

01. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3