

OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for erection of a fence to enclose an area of amenity land, resulting in the change of the use of this land to residential.
- 1.2 The development would not result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties or highway safety.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is to be considered by the Planning Committee as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 29 Spring Meadow is a two storey detached property located on a corner plot where Spring Meadow forks. There is a prominent area of amenity land to the south east of the property, fronting onto Spring Meadow. Prior to September 2018 a fence was located approximately 3.24 metres from the footpath with a dense hedge in front of the fence. The remaining amenity land was grassed, and slopes from the fence line down towards the highway.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history can be summarised as follows:

14691

Outline application for residential development (12 dwellings with garages) on site to Forest Lodge, Park Road.

Approved 08.04.1970

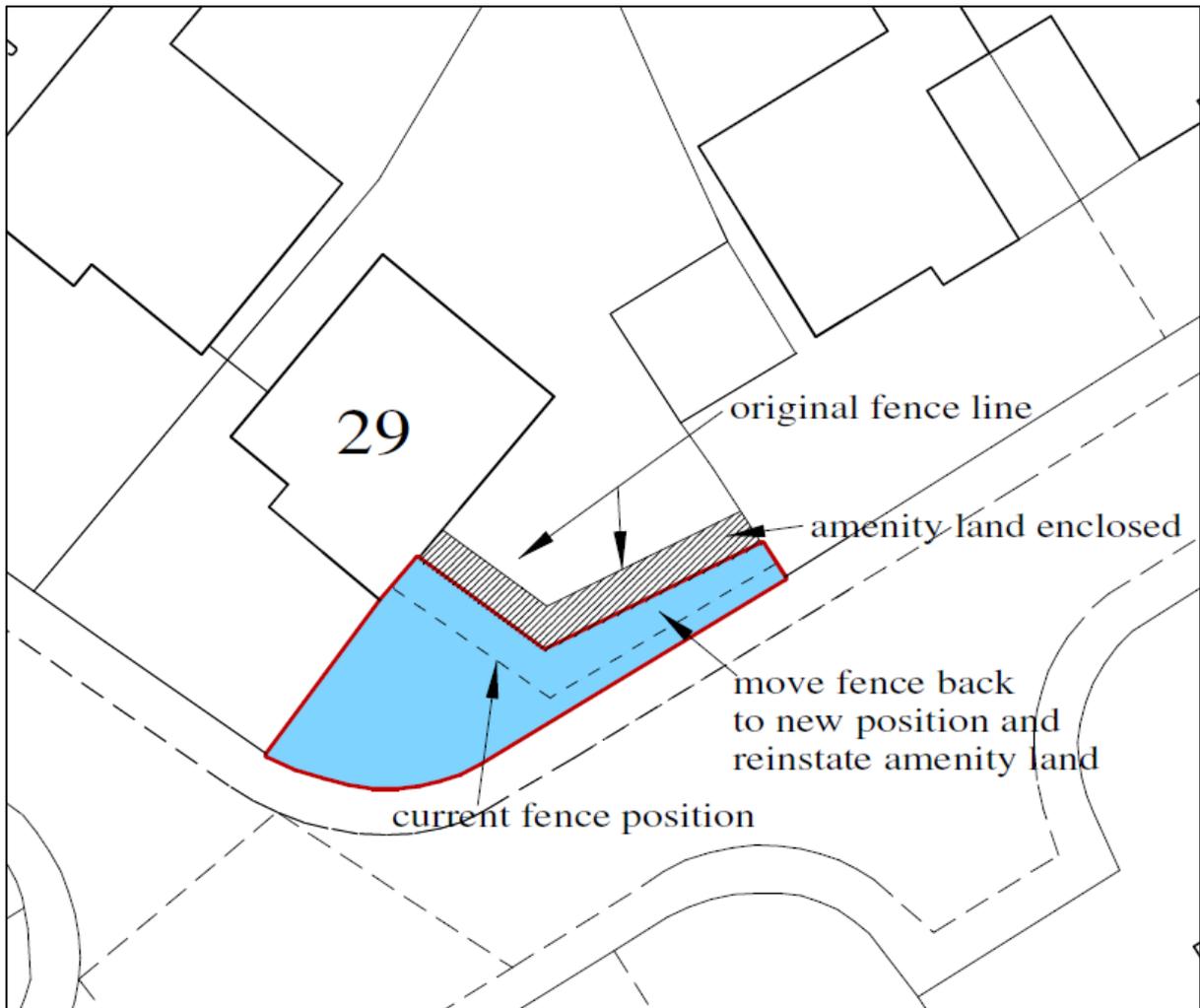
17643

Erection of 15 detached houses and garages, Forest Lodge, Park Road.

Approved 06.03.1972

5. THE PROPOSAL

- 5.1 Prior to September 2018 a fence was located approximately 3.24 metres from the footpath; subsequently the fence was relocated and is currently located approximately 0.72 metres from the footpath. This application proposes to relocate the fence line the fence approximately 1.83 metres from the footpath. As the land slopes the fence height will vary from approximately 2 metres to a maximum height of approximately 2.25 metres. Approximately 21.38 square metres of amenity land will be enclosed.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Refusal recommended on the following grounds:

- (i) The removal of the evergreen hedge and change of use of amenity land to private garden;
- (ii) The current fence has an adverse impact on the character of the area
[Officer Note: The removal of the hedge did not require planning permission.]

Other Representations

6.2 5 objections have been received raising concerns that the fence position and design are out of keeping with the character of the area.

[Officer Note: Following the receipt of these objections amended plans were received proposing to set the fence line back from its current position and include climbing roses.]

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD CP1 of the SALP	Consistent
Design	CS7 of the CSDPD,	Consistent
Character	EN20 and H12 and of the BFBLP	Consistent
Amenity	'Saved' policies EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 105 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Streetscene Supplementary Planning Document 2011		
Other publications		
National Planning Policy Framework (NPPF) 2018		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations

i. Principle of Development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with SALP Policy CP1, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of Surrounding Area

9.3 The proposed fence would be set back from the footpath by approximately 1.73 metres at its closest point, widening to approximately 2.38 metres at the corner. There would be a separation distance of approximately 9.75 metres between the proposed fence line and the footpath to the south-west. As such, approximately 78.8 square metres of amenity land would remain, and approximately 21.38 square metres of amenity land will be enclosed (approximately 22% of the original amount of amenity land).

9.4 Soft landscaping is proposed to soften the appearance of the hedge. On the south-western fence elevation climbing roses are proposed, and on the south-eastern elevation a privet hedge is proposed which will grow to between 1.5 metres and 1.8 metres.

9.5 Between the original fence and the amenity land an evergreen hedge approximately 2.3 metres wide was located. The removal of this hedge did not require planning permission. The proposed fence line would be approximately 1.5 metres further into the amenity land than the original fence. As such, the amount of visible amenity land would be increased compared to the original situation. The proposed fence would be set forward of the hedge of the neighbouring dwelling (31 Spring Meadow) by approximately 0.85 metres.

9.6 Planning permission would not have been required to remove the hedge and leave the previous fence bare. The proposed planting would soften the appearance of the proposed fence and would therefore not have a significant adverse impact on the character of the area. It is considered that sufficient amenity land would remain.

iii. Impact on Residential Amenity

9.7 Due to the position and nature of the proposed fence, it would not have an adverse impact on the residential amenities of the occupiers of the neighbouring properties.

iv. Transport and Highways Considerations

9.8 The proposed fence and planting would allow acceptable visibility to be achieved at the junction and from the driveway of 31 Spring Meadow. As such, the proposed fence and associated planting would not be considered to result in highway safety issues.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area, the residential amenity of the occupiers of the neighbouring properties or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies H12, M9, and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 1st February 2019 by the Local Planning Authority:
Fencing Plans and Elevations – Drawing Number: C-2454 D
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

Informative(s):

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 3. Landscaping
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations, the Party Wall Act or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk