

43/2003/136

MR & MRS B BARTRAM

RETENTION OF WOODEN FENCE AND USE OF LAND AS DOMESTIC CURTILAGE TO REAR AND FORMATION OF PEDESTIRAN ACCESS ONTO CHAMPFORD LANE, 26 CHAMPFORD LANE, WELLINGTON

13596/20184

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

The proposal is for the retention of the use of land as domestic curtilage and for a 1.8 m high wooden fence enclosing the land, and for the formation of a new pedestrian access onto Champford Lane. The fence encloses a car parking space and a small area of land that was once outside of the private garden of the dwelling as part of the open plan layout of the estate. Gates have been incorporated to the front of the parking space.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection to fence. The gates open outwards across a footway causing an obstruction of the highway. The gates should be altered to open inwards or the fence should be re-sited around the parking space and the gates removed.

TOWN COUNCIL in favour of application.

ONE LETTER OF OBJECTION has been received on the following grounds:- original plan of estate had aesthetic view of the housing until boundary extended; fence is opposite my front door and is too close, being overbearing and prevents light entering my hall; if trellis and planting were added to the fence my loss of light would be worse; the fence sets a precedent as the estate is small with all front gardens open plan; what will stop others from erecting fences or walls.

ONE LETTER OF CONCERN has been received regarding confirmation that the pedestrian access will be for the use of No 26 only, and not as a public through way into Walkers Gate.

POLICY CONTEXT

Policies S1 (general) and S2 (design) stipulate that development should not harm the appearance of any affected setting or street scene.

ASSESSMENT

The fencing to the rear of the property is harmful to the appearance of the street scene and detrimental to the visual amenities of the area. The detrimental impact is exacerbated by the open plan nature of the estate. The gates attached to the fence to the rear of the property will open outwards onto the footway causing an obstruction. The plans for the pedestrian access show that a solid gate would be proposed. Such a gate would also have a detrimental impact to the street scene and visual amenity of the area. For these reasons the proposal is not considered acceptable.

RECOMMENDATION

Permission be REFUSED for the following reasons:- (i) It is considered that the proposed fencing, by virtue of its height and location, would constitute an intrusive feature in the street scene detrimental to the visual amenities of the area. This effect is further accentuated due to the open plan nature of the estate. Therefore the proposal is contrary to Policies S1(D) and S2(A) of the Taunton Deane Local Plan Revised Deposit. (ii) The proposed pedestrian access and gate onto Champford Lane, by reason of its design and appearance would be an intrusive feature in the street scene detrimental impact to the visual amenity of the area contrary to policies S1(D) and S2(A) of the Taunton Deane Local Plan Revised Deposit.

Chief Solicitor be authorised to commence enforcement action to remove the fence.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES: