

Date of Meeting	07 November 2019
Application Number	19/06465/FUL
Site Address	Fernbank, Chimney Lane, Honeystreet SN9 5PS
Proposal	Proposed boundary fences & gates
Applicant	Ms Brenda Trowbridge
Town/Parish Council	ALTON
Electoral Division	Councillor Paul Oatway QPM – Pewsey Vale
Grid Ref	410258 161621
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Paul Oatway QPM on the grounds of the visual impact on the surrounding area.

1. Purpose of Report

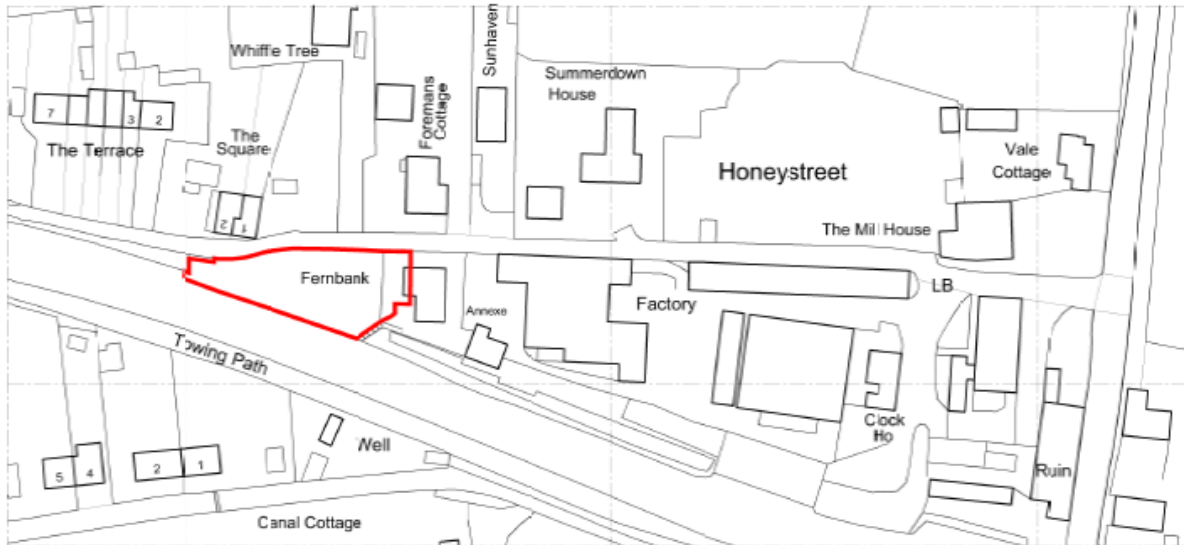
To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission.

The key issue for consideration is the design of the development and its impact on townscape / landscape character & visual amenity.

2. Site Description & Planning History

The application site lies within the settlement of Honeystreet, to the north of the Kennet and Avon Canal and to the west of the Woodborough to Alton Barnes road. The access road, known as Chimney Lane, is a single narrow lane which runs parallel to the canal on the northern side, and the site can be found approximately 260 metres along, immediately beyond the collection of existing former mill, warehouse / employment buildings. The settlement lies within the North Wessex Downs Area of Outstanding Natural Beauty.

The site was formerly occupied by one detached bungalow known as Fernbank and one smaller bungalow called 'Annexe' which in planning terms was a separate lawful dwelling. The rest of the site largely comprised of a grassed triangle of land enclosed by a low timber picket fence. Visually prominent from the canal and adjacent towpath, the main part of the site is elevated from the canal by some 4 metres, which then slopes down towards the canal over the most southerly 10 metres of the site. Public Right of Way ref.ALT09 runs along the south side of the canal.



Site Location Plan

Planning permission reference 16/04718/FUL was granted on the 16th September 2016 for the demolition of the existing dwellings (Fernbank & The Annexe) and ancillary buildings and the construction of two new detached dwellings with garages. The planning permission has been implemented with the new dwelling at Fernbank being occupied and the second dwelling nearing completion. The planning permission is subject to 15 conditions, one of which prevents the installation of any means of enclosure without the approval of the Local Planning Authority. The condition reads:

No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity, the character and appearance of the area and the stability of banks of the Kennet & Avon Canal.

On the 12th September 2017 the Local Planning Authority approved the proposed means of enclosure via a Discharge of Condition application. The approved scheme (as shown on drawing PL18_A) involved the retention of the existing 0.8m high timber palisade fencing around the western garden area for Fernbank, along with the planting of a new hedge parallel with, and adjacent to, Chimney Lane.

In June 2019 the Local Planning Authority was informed that a 2m high close boarded fence has been installed along part of the boundary adjoining Chimney Lane without obtaining the relevant planning permission. The fence remains in place.

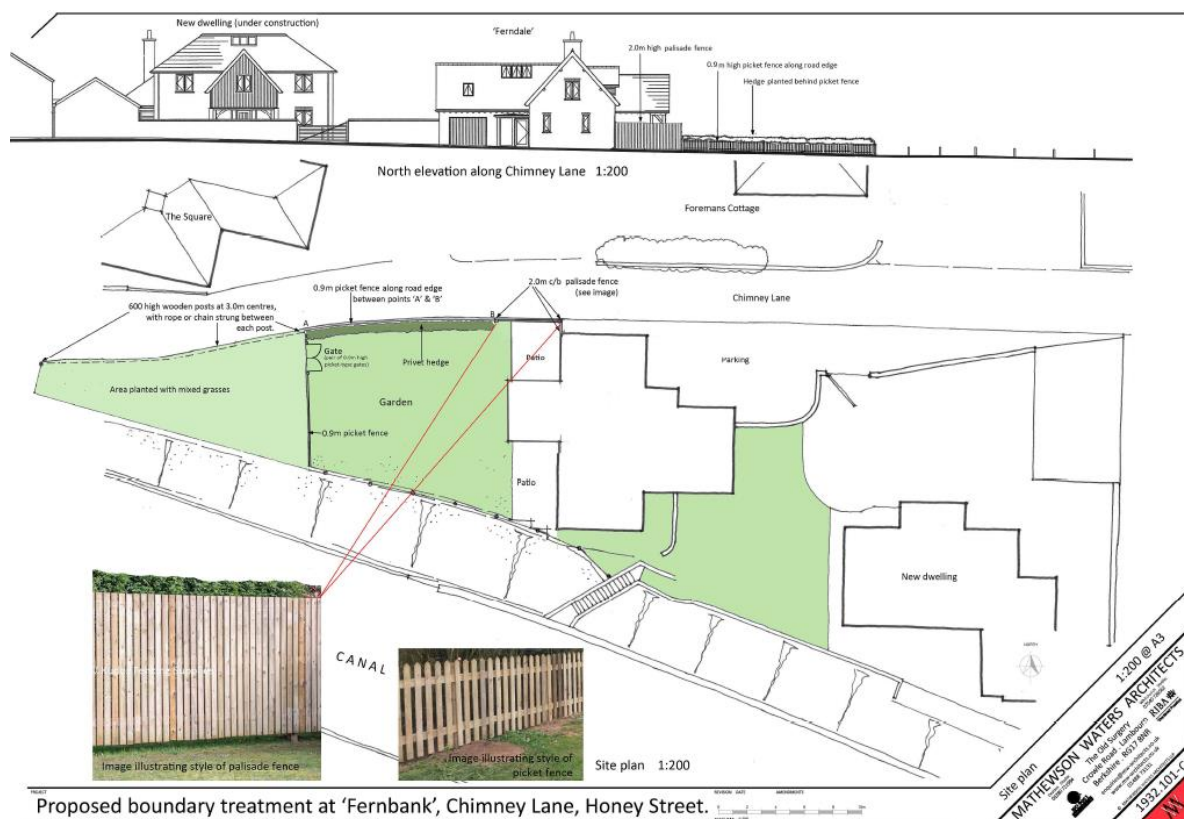
3. The Proposal

The application seeks full planning permission for the installation of boundary fences and gates. The Supporting Statement submitted by Mathewson Waters Architects explains that the application as originally submitted sought retrospective planning permission for the “erection of a boundary fence with gates and gravel hardstanding. The applicant has erected a section of closeboard fence without planning permission, due to incorrect advice given to her. She wishes to regularise the situation, whilst at the same time proposing other related

work that would aim to complete the external works and landscaping in relation to the new house known as Fernbank”.

The proposed development has been amended during the assessment of the application in an attempt to address the comments received as a result of the consultation exercises: -

1. The first set of amended plans (ref: 1932.101-B), received on the 6th September 2019, involved the removal of the installed 2m high close boarded fence from the scheme. The new proposal is for the erection of a short section (approx. 4.5m long) of 2m high palisade fencing to replace the closeboarded fence. A 1.2m picket fence would be installed along the remainder of the boundaries of the main garden area with hedge planting behind, albeit the roadside boundary to the western end of the garden, which is triangular in shape and to be planted with mixed grasses, would be defined by low posts with rope or chain strung between each post. This area was originally proposed as a gravel parking area but will now be undeveloped.
2. The second set of amended plans (ref: 1932.101-C), received on the 8th October 2019, involve further changes to the revised scheme described above. The small section of 2m high palisade fence remains but the remainder of the main garden area would be enclosed by a 0.9m picket fence. The triangular parcel of land to the west would be left undeveloped apart from the installation of 600mm high wooden posts at 3m centres with rope or chain strung between each post on the boundary adjoining Chimney Lane.



Proposed boundary treatment at 'Fernbank', Chimney Lane, Honey Street.

Proposed Site & Elevation Plans

4. Planning Policy

The **National Planning Policy Framework (NPPF)** with particular regard to Chapters 4 'Decision-Making', 12 'Achieving Well-Designed Places', 15 'Conserving & Enhancing the Natural Environment' and '16 'Conserving & Enhancing the Historic Environment'.

The adopted **Wiltshire Core Strategy**, with particular regard to:

- Core Policy 18 Spatial Strategy: Pewsey Community Area;
- Core Policy 51 Landscape;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment

The **North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019**.

The **Honeystreet Village Design Statement**.

5. Consultations

Wiltshire Council Highways Officer – No observations.

Alton Parish Council – Objection to the original and both amended schemes:

1. Alton Parish Council unanimously and very strongly opposed the original proposal because it was felt that both the fence and the new car park would not only contradict the clear conditions set by Wiltshire Council in the original consent but destroy the only green space in the centre of the village, open to the village and to the canal.
2. Alton Parish Council objected to the first set of amended plans very strongly and unanimously. It was stated that "The overriding aim remains to restore and protect the canal-side green open space at the heart of the village, flattened by building work but easily returnable to its original condition. ...

The latest application breaches those conditions in the following ways:

- The height of the proposed picket fence has been raised, with no explanation.
 - A brand new visual barrier has been created with the proposal for a gate and additional fence north-south across the centre of the space
 - A section of 2m high fence has been needlessly retained, and we note that in any case it must be set back a few inches since it obtrudes onto the narrow lane as a safety hazard."
3. Alton Parish Council objected to the second set of amended plans because it is felt that the revised scheme does not address the two main objections: -

"The first concerns the two-metre high palisade fence, wholly contrary to the original plan. ... Although the extent of the fence is reduced in the latest submission it remains an unnecessary eyesore, totally out of character with the open nature of the village and blocking the green space behind it leading to the canal. The second objection concerns the western end of the site. This spot, on a slight rise, is by far the most prominent and environmentally sensitive canal-side point in the village. The plan as currently submitted leaves it wide open to being transformed from a green space to a car park. The applicants proposed exactly that in an earlier submission which defined a hardstanding for vehicles on precisely this spot. That was rapidly dropped when the strength of the opposition became clear. What is now proposed, however, is a line of boundary posts three metres apart – ie comfortably spaced to admit a vehicle – joined

together by "a rope or chain." This is seen by the Parish Council as a transparent attempt to achieve the same objective by stealth. But whether that is right or wrong the risk can be simply removed by returning to the picket fence proposed in the original plan."

6. Publicity

The application has been publicised via a site notice and letters sent to properties within close proximity of the site. As a result of the original consultation exercise 14 letters of objection were received, including one from the Campaign to Protect Rural England, on the following grounds:

- The proposed fence, which is already in place, blocks views from neighbouring properties and is totally inappropriate to the character of the site and detrimental to visual amenity. The proposed fence changes the streetscape and look of the village, when seen from within or without. The views across the hamlet and canal from within Honeystreet (North Bank), and from the tow path and Honeystreet (South bank) will be negatively affected. The 'Neighbourhood Design Statement' identifies the desire to maintain that special open character, which unfortunately this current proposal will not satisfy. The plans were for a low picket fence and that's how they should remain. The fence and the gravel parking space will blight our area of outstanding natural beauty. The proposed gravel parking area is unnecessary and unsightly.

The re-consultation exercise, following the submission of the first set of amended plans on the 6th September 2019, resulted in a further 14 letters of objection being received, including one from the Campaign to Protect Rural England, on the following grounds:

- The height of the picket fence has increased from point 8 of a metre on the approved plans to 1 metre on the first amendment and 1point 2 metres on the current amendment. This is a 50% increase in height.
- We acknowledge the attempt by the applicant to reduce the impact of the current fencing of the site but see no reason why the fencing as agreed in the original planning application should be changed.
- The introduction of a length of tall, palisade-style fence beside the house, such as might be used to mask unattractive or untidy features, would be out of place in this domestic location.
- In our view, the picket fence is acceptable but fencing of a different style to each side of it would look incongruous, especially as an additional picket fence is proposed across the garden at its western end. The overall aspect would be one of overdesign rather than rural effect.
- The proposed post and rope/chain fence at the west end of the site appears to be to facilitate parking, while the double gates in the interior picket fence raise obvious concerns about further vehicular access into the site. Clearly, parking of vehicles in any part of this area would interfere with important views across the canal in both directions.

The re-consultation exercise following the submission of the second set of amended plans on the 10th October 2019 resulted in three further letters of objection. It is felt that the further minor revisions do not address the original concerns regarding the impact of the development on the character of the site and visual amenity. It is anticipated that the grassed area to the west of the site will be used to park vehicles. It is also highlighted that the revised drawing is inaccurate because the patio area does not extend to the boundary with Chimney Lane. It is suggested that the boundary treatment could be along the edge of the patio rather than tight on the northern boundary of the property which abuts Chimney Lane.

7. Planning Considerations

The application, as amended, seeks full planning permission for new means of enclosure / boundary treatments only. The planning permission for the new properties removed the permitted development rights for the installation of any means of enclosure without the agreement of the Local Planning Authority. The purpose of the condition is to ensure that any new means of enclosure are appropriate to the context of the site in order to ensure no detriment to the character and appearance of the area and visual amenity, and also the setting of the Kennet & Avon Canal, a non-designated heritage asset.

The intention of the Local Planning Authority was not to prevent any new means of enclosure by removing the permitted development rights but to ensure new additions were sympathetic to the distinct open and undeveloped character of this part of the property. The original proposal for the 18.5m long stretch of 2m high close boarded fence was not considered sympathetic to the original open character of the site and does appear as a stark new addition to landscape which is clearly visible from neighbouring properties and the canal towpath. The revised proposal however only involves a small section of palisade fencing which is closely related to the dwelling itself, and a 0.9m high picket fence. The triangular area of land to the west will be left open apart from post and rope/chain to deter access from Chimney Lane.

The concerns of the community in relation to the palisade fence, the subdivision of the garden area, and the use of the triangular parcel of land to the west are noted, however, on balance, the amended proposal is not considered to have an unacceptable impact on the character of the site or visual amenity. The western area will be open and undeveloped and permitted development rights can be removed to prevent the laying of a hard surface to protect the character of this part of the site. The low picket fencing around the main garden area will be unobtrusive and will be in-keeping with the original boundary treatment before the property was redeveloped. The approved proposal was to enclose the entire site by a picket fence but this current proposal will leave the western triangular parcel of land open.

8. Planning Balance & Conclusion

The application seeks planning permission to install new boundary fences and gates around the garden area serving Fernbank. The policies of the Wiltshire Core Strategy, in particular Core Policy 51 'Landscape', Core Policy 57 'Ensuring High Quality Design & Place Shaping' and Core Policy 58 'Ensuring the Conservation of the Historic Environment', all seek to secure a high quality of design, protect landscape character and the historic environment. The amended scheme is considered to accord with the aims of these policies. The picket fence will be low-lying in the landscape and will not harm the setting of the canal, a non-designated heritage asset, or the special qualities of the North Wessex Downs AONB. The small section of palisade fence will be seen against the silhouette of the house and therefore will not be a prominent feature within the landscape.

In conclusion, it is considered that the scheme will not have an unacceptable impact on the open character of this part of the site through the erection of solid boundary treatments. The planting of a hedge can be done without the need to obtain planning permission and will contribute towards the screening of the fences when viewed from the canal. The strong strength of feeling against the proposal by the local community is recognised, however it is considered that there are no valid grounds to refuse planning permission for the revised proposal. It is therefore recommended that planning permission be granted.

RECOMMENDATION

That planning permission be **GRANTED** 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drawing no.1932.100. Title. Site Location Plan, received 15.07.19;
- Drawing no.1932.101-C. Title. Site Plan, received 10.10.19;

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Class F 'hard surfaces incidental to the enjoyment of a dwellinghouse' shall take within the application site.

REASON: In the interests of visual amenity, the character and appearance of the area, the stability of banks of the Kennet & Avon Canal, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for new hard surfaces within the application site.