

DEVELOPMENT DIVISION

PLANNING COMMITTEE

FOR DECISION

Book 1

7th January 2014

Ladies and Gentlemen,

The plans in this report have been submitted for approval under the Town and Country Planning Acts.

All County Council Matters are “Delegated” to the Committee for comment and cannot be moved “Non-Delegated” (Minute No. 244, 20th July, 1992).

All other applications in this report are also “Delegated” but can be moved “Non-Delegated” by a Member of the Committee under the terms adopted for the Scheme of Delegation approved by Council, 16th May, 1994. Any such motion needs to be accepted by a majority of Members of the Committee present (Council, 8th August, 1995). All applications left as delegated will be decided by the Committee and will not be subject to confirmation by Council.

The application plan numbers also refer to files for the purposes of background papers.



Assistant Director of Regeneration and Built Environment

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7th January 2014

PLAN NUMBER:	APPLICANT:	AGENT:
2013/0714	Mr Brian Eccles	Mr Brian Eccles
WARD/PARISH:	CASE OFFICER:	DATE RECEIVED:
Roosecote	Charles Wilton 01229 876553	21/10/2013
		STATUTORY DATE: 23/12/2013
LOCATION:		
133, Rampside Barrow-in-Furness.		
PROPOSAL:		
Erection of a fence, standing adjacent and independent of boundary wall at side boundary of front garden at an overall height of 1.9m. Also a block and render replacement front wall to an overall height of 1.5m (retrospective application).		
SAVED POLICIES OF THE LOCAL PLAN:		

POLICY D21

In determining all applications submitted to it the local planning authority will have regard to the General Design Code set out in paragraph 5.4.28 of this plan.

In towns and villages, proposals shall relate to the context provided by buildings, street and plot patterns, building frontages, topography, established public views, landmark buildings and other townscape elements. Proposals that do not respect the local context and street pattern or the scale, height, proportions and materials of surrounding buildings and development which constitutes over development of the site by virtue of scale, height or bulk will not be permitted, unless there is specific justification, such as interests of sustainability, energy efficiency or crime prevention.

Development proposals in the countryside shall respect the diversity and distinctiveness of local landscape character. New farm buildings will, in general, be required to be sited within or adjacent to an existing farm building complex or in other well screened locations and to be subject to a complementary design and use of materials, with, where necessary, a 'planting' scheme.

SUMMARY OF MAIN ISSUES:

NON MATERIAL CONSIDERATIONS:

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REPRESENTATIONS:

Development advertised on site.

The Occupiers of nos. 131, 135 Rampside & Sea Cottage, Rampside, Barrow all informed.

The Occupier, 131 Rampside, Barrow-in-Furness

“Regarding the above application: we have no objection to the wall once it is finished but we regard the fence as unsightly and not in keeping with the village overall. There is not a single fence in Rampside on the front, walls separate houses on the boundary with the occasional shrub or tree and we feel that the fence is not appropriate.”

The Occupier, 4 Ewan Close, Barrow in Furness

“This so called fence that’s already up is not in character with the rest of the village the 135 resident surely had limited view from her lounge window and no direct sunlight because this fence is way over height restriction .and fails to fit in with the rest of the village that’s my objection”.

The Occupier, 135 Rampside, Barrow-in-Furness

“We live adjacent to the proposed development site and are writing to ask that Barrow Borough Council refuse this planning application from Mr Brian Eccles.

Herein are our comments and objections relating to this planning application:

The fence overlooks our property

In this we mean that the amount of light is greatly affected in the front sitting room, the porch and the hallway. It has become increasingly darker in these areas as a result of the fence being erected.

The fence is visually overpowering

We believe it to be an inappropriate design for this part of the village. Such a large fence is totally out of keeping with the neighbouring properties, which are mainly smaller cottage style houses and single storey bungalows with the exception of our block of terraces. Even so the dividing walls between the properties are less than 1 metre high so not only is it out of character for the period of house it does fit in with all the existing properties.

Restricted view

When the house was purchased, we had a fantastic panoramic view including Piel Island and right across the bay to Blackpool. This view has been taken from us now from the front sitting room. We can no longer sit in the window and stare across the bay or indeed at Piel or the lifeboat house as the fence has taken this away from us. One of the main selling points to us purchasing the house was the exquisite views from the front sitting room and now we fear the value of the property would be significantly reduced as a result of this fence. Not to mention the distress of losing the view and living with this unsightly fence on a daily basis.

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Permission

We were away on holiday when the fence structure was erected. We were neither confronted or gave permission in the first instance for the fence to be constructed. On arrival home, we found there to be copious amounts of saw dust and general wood shavings on our property which had been left. We were informed within days of returning home that to construct the fence, access was gained via our property. We did not give permission for this to occur and we do have it on good authority that this did happen.

Further to these discrepancies which we have, we also have our concerns regarding the front boundary wall.

The wall does not suit the row of terraces

The front wall does not keep with the other 5 terraces on the block. They all are the same height and are made from sandstone. This new wall however, is in fact built from block and believe is to be rendered. We do not agree only with the materials used but also the height in which the wall stands. It just looks very out of place.

In addition to this, the wall has used the adjoining gate post in which we share with 133. The gate post itself is greatly in need of structural repair whereby it needs to be knocked down and re-built as its crumbling away and we feel it is unsafe for us and the general public as it is the front boundary wall. As a result of this wall being built there is now very limited work we can do (if any) to it to make the gate post structurally safe to accommodate the wall. Nothing has been done but I fail to see how they recognised that the post was safe in the initial lay out but have now created a new structure which, to some degree, does depend on the post for structural strength and stability.

Busy and congested road

This additional height out the front of our property makes it increasingly harder to see the oncoming traffic. Traffic travels rather swiftly along this busy part of Rampside and with two young children in the house we fear for their safety and the increased possible risk of there being a road accident.

We invite you to visit our home to verify that these objections are valid.

Therefore, we ask that Barrow Borough Council refuse this Planning Application and encourage Mr Brian Eccles to remove the fence and wall keeping in mind the area being less intrusive on neighbouring properties, and more sensitive to the character of this village.

Should you require any additional information, clarification of any comments made, or would like to arrange a visit to our home; do not hesitate to contact us."

The Occupier, 137 Rampside Road, Barrow.

"Take a walk through Rampside and you will see rows of terraced houses separated at the front by low walls, trees and bushes affording residents views out over the bay in all directions whilst maintaining a level of privacy, now take a look at number 133. Although I have no issue with the residents at number 133 desiring privacy the manner by which they have achieved this, a privacy fence of over 6 feet, has ruined the community

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look and feel of the terraced houses to which it's connected and spoiled the views for other residents. It would in keeping if this fence was removed and replaced by small trees to achieve the privacy the residents of number 133 desire whilst affording the other residents the views of the bay which they have enjoyed for many decades."

CONSULTATIONS:

OFFICERS REPORT:

This application seeks retrospective planning permission to retain a fence and a wall situated in the front garden of this end of terrace house. The fence runs along the side boundary while the wall defines the front boundary. The fence extends up to 1.9m in height and mainly consists of vertical timber boards. It stands adjacent to but independent of a low wall which separates the applicant's garden from the neighbour's. The wall, subject of the application, has replaced a lower stone wall. It is of block construction and consists of a wall 1.3m high but with a series of piers (four in total) which creates a crenulated effect increasing the height to 1.6m. Planning permission is required for both the wall and the fence as they exceed 1m in height measured from ground level.

The main issue raised by the application is its effect on the character and appearance of the area. The fence appears as a rather awkward feature. This is due in the main to its height as the front gardens in the area are more open in character with the other walls and fences being low. As a consequence the fence interrupts the openness of the gardens. The fence also stops rather abruptly next to the lower front wall such that the step down appears awkward. The materials used also draw attention to the fence which from the neighbour's side has a rather make-shift appearance. Due in the main to its height but aggravated by the other factors referred to, the fence appears visually unresolved. Approval of the proposal would run contrary to saved policy D21 which requires developments to respect the street scene and be in harmony with others around them. It would further conflict with the aims of the NPPF which seeks to foster good design.

The front wall also appears rather intrusive at the moment which is partly due to its height which is taller than the wall it replaced. This is exacerbated by the materials used (concrete block work). This could be resolved were its finish to be improved and the removal of the majority of the piers to simplify its design.

RECOMMENDATION:

I recommend that

A. That planning permission be refused for the following reasons:

1. The fence due to its height, abrupt set down next to front wall, and materials used appears as an unacceptably awkward and intrusive feature in an area mainly characterised by more open front gardens. Approval of the proposal would therefore run contrary to saved policy D21 of the Barrow in Furness Local Plan Review 1996-2006 which requires developments to respect the street scene and be in harmony with others around them and contrary to section 7 of the NPPF which seeks to promote good design.
2. That the wall due to the materials used and the over fussy, crenulated design appears as an unacceptably awkward feature in an area characterised by stone and rendered walls

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of a more simple form. Approval of the proposal would therefore run contrary to saved policy D21 of the Barrow in Furness Local Plan Review 1996-2006 which requires developments to respect the street scene and be in harmony with others around them and contrary to section 7 of the NPPF which seeks to promote good design.

B. The applicant be invited to apply for planning permission for the wall of revised design and finish.

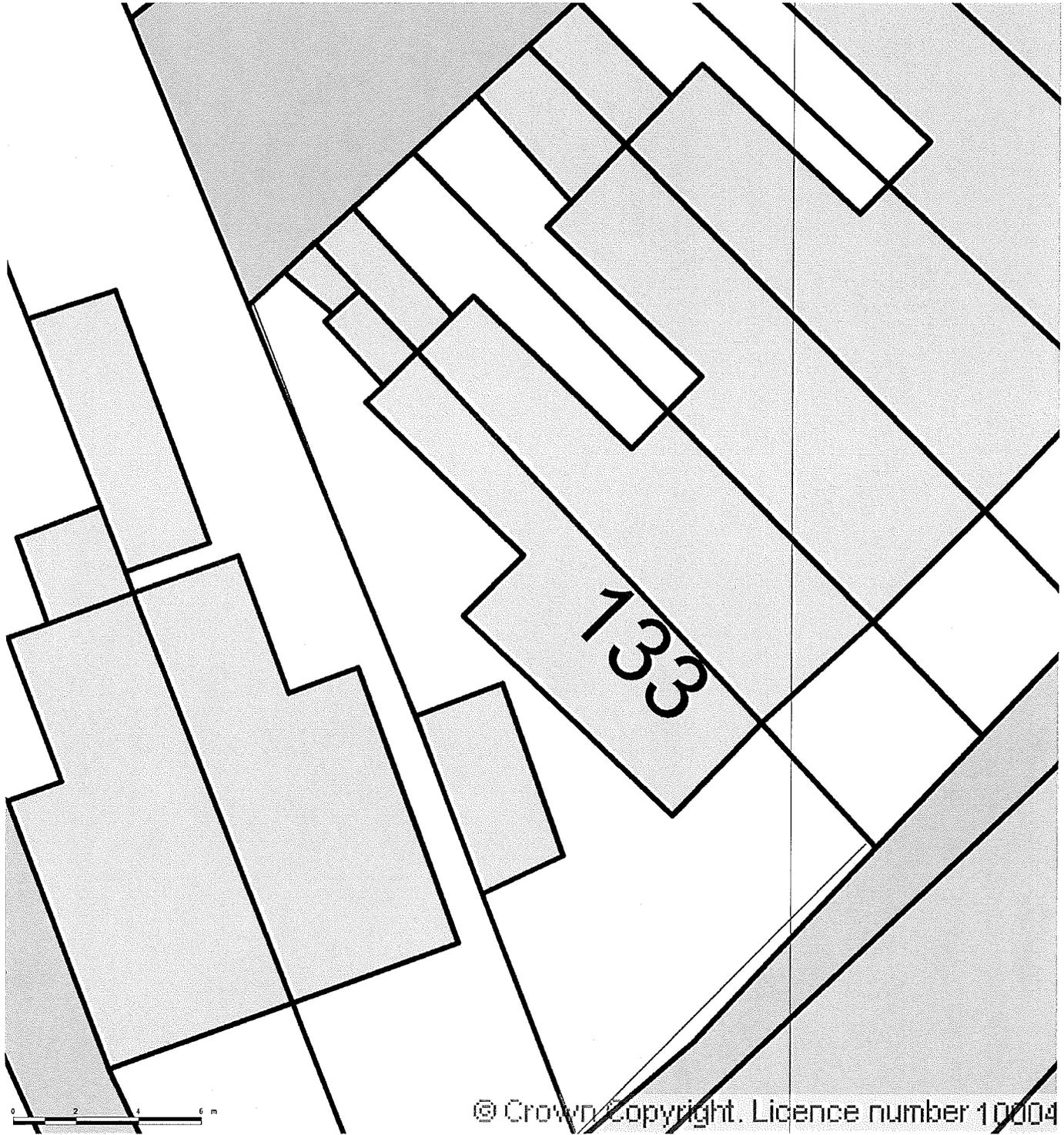
C. That the Assistant Director of Regeneration & Built Environment be authorised to take enforcement action and any other legal action considered necessary to secure the removal of the wall and fence though the issue regarding the wall may be resolved by other means as described under B) above.

SITE LOCATION PLAN
AREA 2 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 324193 , 466365



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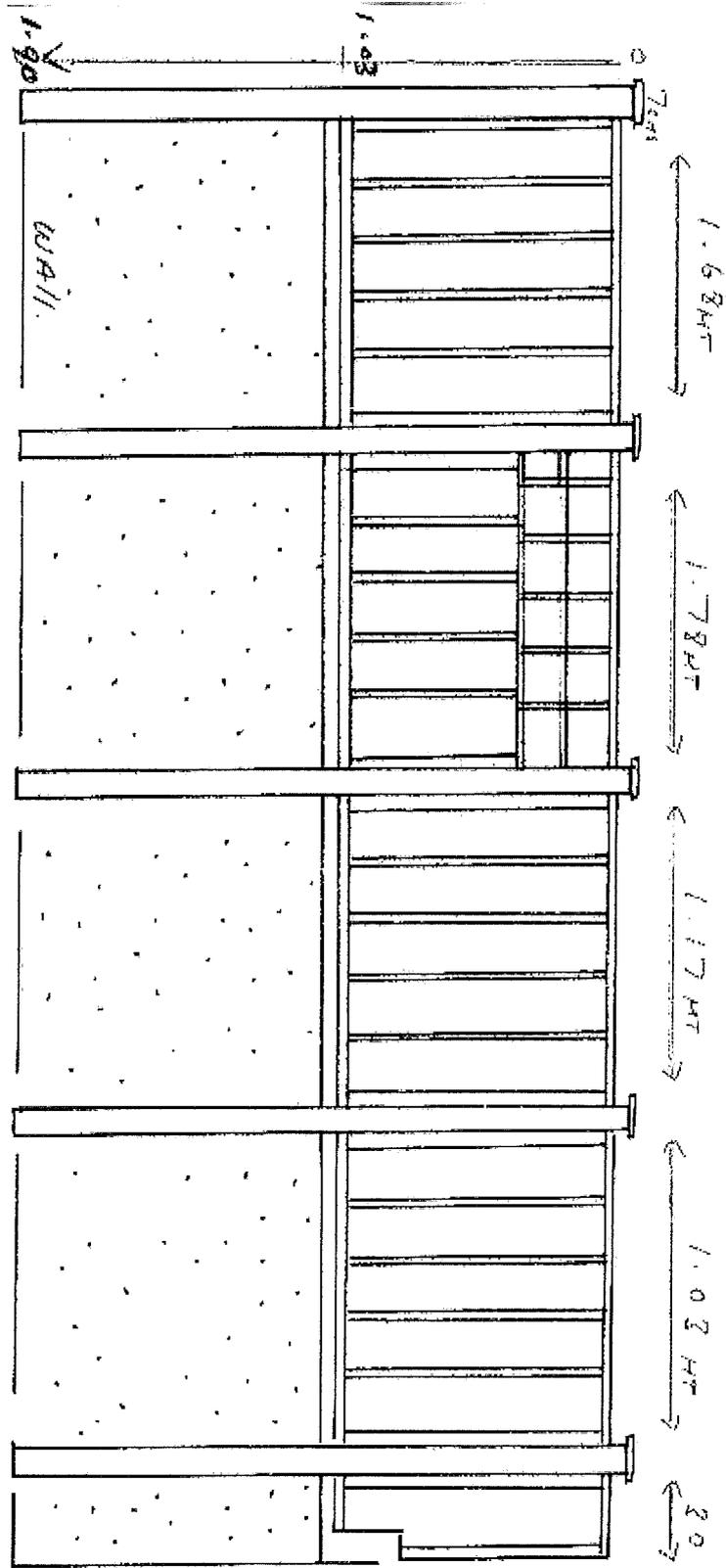
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PRIVACY FENCE



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