

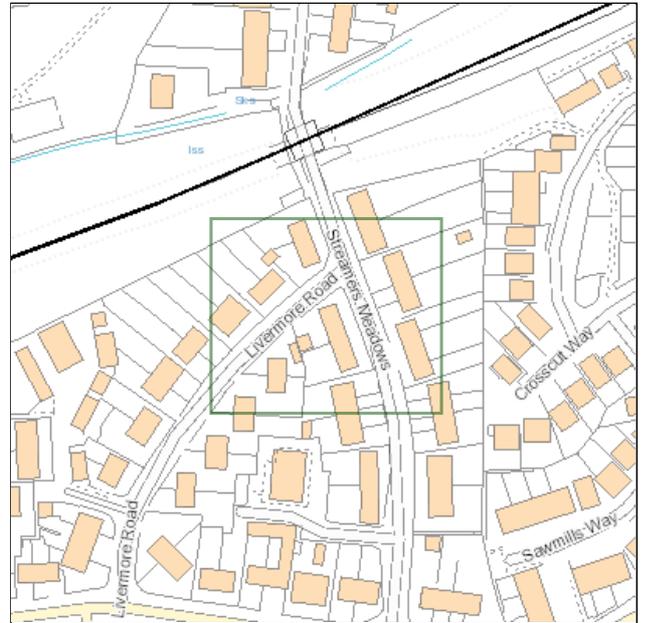
Ward Honiton St Michaels

Reference 22/1109/FUL

Applicant Laura Ede

Location 55 Streamers Meadows Honiton Devon EX14 2DL

Proposal Erection of a timber fence around private garden.



RECOMMENDATION: Approval retrospective (conditions)

Crown Copyright and database rights 2022 Ordnance Survey 100023746



		Committee Date: 30 August 2022
Honiton St Michaels (Honiton)	22/1109/FUL	Target Date: 14.07.2022
Applicant:	Laura Ede	
Location:	55 Streamers Meadows Honiton	
Proposal:	Erection of a timber fence around private garden.	

RECOMMENDATION: Approval Retrospective (conditions)

EXECUTIVE SUMMARY

This application is brought to Committee as Officers views differ to those of the Local Ward Member and residents have commented on an application in which the Council has an interest.

The application seeks retention of a fence erected at a residential property in Honiton owned by EDDC that exceeds the permitted development allowance for fences alongside a highway.

Officers have negotiated a reduction of 500mm to the fence as erected; at this reduced height it is considered that it would fit more comfortably into the character of the area and it would be difficult to identify significant harm sufficient to refuse the application although the height would be above that allowed by permitted development.

Retention of the fence is not considered to be harmful to public safety nor the amenity of neighbouring properties.

The Town Council support the proposal but no further comments have been received from Ward Members on the amended plans and therefore the application has to be brought to Committee as opposed to a decision being able to be made under delegated powers.

The application is recommended for approval with a condition requiring the height of the fence to be reduced by 500mm within 3 months of the date of any decision.

CONSULTATIONS

Local Consultations

Honiton St Michaels - Cllr Mike Allen

The fence will be dominant in the streetscene and should be the minimum permissible

Honiton St Michaels - Cllr Phil Twiss

This application is similar to a number of similar, approved applications, within a short distance of this site, which seeks to improve privacy and security for the occupants and I support the application.

Parish/Town Council

Unanimous Support

Parish/Town Council

(amended plans)

Unanimous Support

Other Representations

One letter of concern from neighbour regarding construction of a drive and drainage of surface water.

One letter of support suggesting that highway safety is improved as the previous hedge has been removed.

PLANNING HISTORY

Reference	Description	Decision	Date
89/P1971	Bathroom Extension Plus Minor Internal Alterations	Deemed Consent	18.09.89

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)

Site Location and Description

No 55 Streamers Meadow is located to the south of the main part of the town in a wholly residential area. The property is owned by East Devon District Council as are a number of other homes in the immediate area. The property occupies a corner plot with its principal elevation facing onto Streamers Meadow and side elevation to Livermore Road; it is part of a terrace of 4 similar homes. Homes in the immediate area have a similar appearance and style.

There are no particular constraints covering the site. There is no Neighbourhood Plan present although the area has been designated as a neighbourhood planning area.

Proposed Development

The application is retrospective and seeks to retain a timber boundary fence erected mainly on the NW facing boundary of the garden above the original wall with short returns on the front east side linking into the side elevation of the house, and rear west facing elevation returning along the back of the garden where the enclosure includes a recently constructed block wall separating the garden area from parking provision.

During the consideration of this application amended plans have been submitted at officer's request reducing the height of the fence by 500mm; this report is based on those amended plans.

Assessment:

The amended plans reduce the overall height of the fence from approximately 2.8m (at its highest point) to a maximum of 2.3m above the pavement level along the north facing elevation. It is considered this change would bring the height of the wall and fence combined to a level that would have a more comfortable appearance in the immediate area. The parts of the fence facing to the front and rear boundaries have a lesser effect given they are away from the respective boundaries. The differences between the fence as erected and that now negotiated by officers is most easily seen by comparing the superseded and amended plans.

As erected it is acknowledged that the combined height of the wall and fence is dominant in the streetscene and somewhat exacerbated and 'attention drawing' by the appearance of the new timber. The revised height would still provide an element of privacy for the applicant and the surface appearance would soften in time.

Although no comments have been received from County Highways given the position of the fence it is not considered its retention would be harmful to public safety.

There is no objection on amenity grounds. It is understood the driveway (marked parking area on the plan) commented on by a neighbour had already been constructed at the time the applicant moved into the property. Given Livermore Road is an unclassified road and a parking space existed already it is not considered this element requires consent. No further works to this area are proposed as part of the application.

At the negotiated height it is considered that it would now be difficult to identify sufficient harm to warrant refusing the application and defending it at appeal.

RECOMMENDATION

APPROVE subject to the following conditions:

1. Within 3 months of the date of this approval the fence shall be reduced from its height as erected to the approved height as shown on plan 003 received on the 6 July 2022. (Reason - To clarify the permission and in the interests of the appearance of the development in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031).

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

001	Location Plan	19.05.22
003	Proposed Combined Plans	06.07.22

List of Background Papers

Application file, consultations and policy documents referred to in the report.