

DELEGATED DECISION REPORT

HPK/2024/0209
Valid 24/06/2024

2 MILLERSDALE COURT
GLOSSOP

ERECTION OF 1.5M HIGH
TIMBER FENCE WITH
CONCRETE POSTS TO
DELINEATE "BACK GARDEN"
AREA

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Highway Safety
- Design

DESCRIPTION OF SITE

2 Millersdale Court forms one of four properties which are back to back with one another, located on a corner plot of Millersdale Court. The dwelling is constructed of red brick and concrete roof tiles.

The dwellings amenity space is located to the front and side of the dwelling and is currently open to Millersdale Court and Hillwood Drive.

PROPOSAL

Planning permission is sought to enclose a portion of the amenity space with a 1.5m fence. Revised plans show the proposed fencing to be set back from the property boundary, in line with the hedge boundary of no 1 Partington Court.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4 Decision-making
Section 12 Achieving well-designed and beautiful places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/6816 Proposed Road Layout - Residential Development APPROVED

CONSULTATIONS

Publicity

Site Notice expiry date: 30/07/2024

Neighbour consultation period ends: 18/07/2024

Press Advert: N/A

Public Comments

Support (0)

Objection (0)

Neither (1)

In principle I have no objection to a fence being erected to enclose part of the garden but cannot determine from the planning application how much area will be enclosed. Using the interactive planning map there is a red line which appears to be the boundary of the property which is subject to the planning permission, if that is also the extent of the fence in question then the whole garden area, including the drive is being enclosed. If that is the case this may be unsightly.

Town / Parish Comments

N/a

Environmental Health

n/a

Derbyshire County Council Highways

27/08/2024 – no objection

- No objection to revised plans

12/08/2024 – Objection

- Obstruction to the highway

09/07/2024 – Request for information

OFFICER COMMENTS

Principle of Development

Local Plan (LP) Policy S 2 states that development should be directed towards sustainable locations, including Market Towns such as Glossop. The site is situated within this built-up area boundary. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Design

Section 12 Paragraph 135(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

The proposed fence will enclose a small portion of land the side of the host dwelling. The proposed fence line will continue that of the neighbouring hedgerow and come to an end just beyond the principle elevation of the house. As such a large section of greenspace will be left open and unenclosed to the front of the dwelling. The street scene is characterised by open corner plots, this character will be maintained by the retention of the open area to the front of the application site. This will have a similar effect as to the fencing located at no 5 Hillwood Drive, which has an enclosed fenced area to the side of the dwelling with an open lawn in front.

The comments of the objector are noted, however the fence will not enclose all of the “red line” area, just a small proportion of the side/front area to allow privacy in the garden area.

As such the proposed scheme is considered to mirror the visual effect of no.5 Hillwood Drive, and therefore maintain the open character of the street scene. The proposal is therefore considered acceptable in terms of design.

Amenity

Section 12 Paragraph 135(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The proposed fence will be adjacent to the hedgerow at no. 1 Partington Court, which is approximately 1.5m in height. The proposed fence will be 1.5m in height and as such will not overshadow no. 1 Partington Court. The fence will otherwise be adjacent to the footpath and will not lead to any overshadowing or overbearing of adjacent dwellings or public space.

The application is considered acceptable in regards to amenity.

Highway Safety

LP Policy CF 6 states that all development should deliver sustainable patterns of development by ensuring that it does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic.

DCC Highways requested revisions the plans, which have been provided. They raised initial concerns that the proposal which involved the positioning of the fence adjacent to the highway, would enclose highway land. Upon re-consultation DCC Highways are satisfied that Highway Safety could be maintained. The proposed fence is set back from the property boundary and highway and will allow the sightline of the nearby junction to be maintained.

The application site has a driveway to the front of the dwelling allowing for 2 cars to park off the street. The proposed fencing will allow this parking area to be maintained.

Overall it is considered that the application is acceptable in terms of highway safety.

CONCLUSION / PLANNING BALANCE

Following submission of revised plans the development is considered acceptable in terms of design, amenity and highway safety. It is considered to be in accordance with the relevant policies put forward in the Local Plan and the NPPF. Therefore this application is recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 30th August 2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council