

Application No: 20/0921C

Location: 104, PORTREE DRIVE, HOLMES CHAPEL, CHESHIRE EAST, CW4 7JF

Proposal: Proposal to increase the height of the brick pillars and install new quality feather edge timber fencing between the brick pillars along the right side garden wall

Applicant: Mrs Biggs

Expiry Date: 27-Apr-2020

## **SUMMARY**

### **Main issues:**

- The principle of the development
- The impact upon the character and appearance of the application property
- The impact upon neighbouring residential amenity

## **RECOMMENDATION**

APPROVE subject to conditions

## **REASON FOR REFERRAL**

This application has been called in by Cllr Gilbert on the following grounds -

1. 'This is a retrospective application for a contentious development which is unpopular with nearby residents who consider that it is inappropriate by reason of its scale and appearance. As these are essentially subjective issues, it is considered that they should be decided by a committee of elected Members rather than a single Planning Officer. '

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is a two storey detached residential dwelling house located on a corner plot at the junction of Portree Drive and Arran Close within a established residential area within the settlement of Holmes Chapel. The house frontage is orientated to Portree Drive whilst its side gable, side walls and rear garden face onto Arran Close.

The plot is set in from the kerb on the Arran Close elevation with a fence line set within a

generous grass verge ranging in distance from 3.7m to 5.1m from the edge of verge/highway to the fence line.

The residential area is an extensive 1980's built estate with Portree Close being a major route from Selkirk Drive with numerous cul de sacs themselves feeding off Portree Close.

## **DETAILS OF PROPOSAL**

This is a retrospective application for the retention of the side boundary wall which comprises 5 brick pillars with timber board inserts which has been increased in height to screen the outbuilding (application 20/0920C, considered separately on the agenda, concerns the outbuilding).

The works have been completed and this application is the result of a planning enforcement investigation.

## **RELEVANT HISTORY**

26430/3 Extension over garage to front of house and other alterations - Permission granted 18/10/1994. Implemented

20/0920c - Construction of a timber framed shed, timber framed gazebo and decked area - considered elsewhere on this Agenda as this current application

## **POLICIES**

### **Cheshire East Local Plan Strategy**

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SE 1 Design

SE 2 Efficient Use of Land

### **Congleton Borough Local Plan**

GR9 Highways

### **Holmes Chapel Neighbourhood Plan**

The Holmes Chapel Neighbourhood Plan was made on 9<sup>th</sup> March 2017

CE5 - Character and Design

### **Other Material Considerations**

National Planning Policy Framework

## **CONSULTATIONS (External to Planning)**

**None**

### **National Policy**

National Planning Policy Framework (NPPF)

## **CONSULTATIONS:**

**Holmes Chapel Parish Council: NO objection**

**Neighbours**

## **OTHER REPRESENTATIONS**

Neighbour notification letters were sent to adjoining occupants

Neighbour comments have been received from 3 separate addresses raising objection to the proposal on the grounds of the following reasons:

- Appear to screen the metal shed (20/0920C), to which we also object. If that application was refused, we consider that this application should be refused also.
- The proposed high level of the new brick pillars and fencing will make it feel like we are looking onto a prison wall compared to the previous view we enjoyed, which was of established trees which were removed by the occupants at 104 Portree Drive in order to build the shed and spa area.
- This development and the wall will lower the attractiveness of this part of the estate and probably cause the values of nearby houses to fall. Neither will the wall limit let alone eradicate the increase in noise and light that from past experience can be expected from this location especially in the early hours of the morning

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of development within the settlement boundary is accepted provided that it accords with CELPS Policies SD1, SD2 and SE1 and Congleton Local Plan Policies GR6 and GR9. These policies seek to ensure, amongst other things, that proposals are not detrimental to neighbouring residential amenity and are appropriate in design and highway terms.

The policies of the Made Holmes Chapel Neighbourhood Plan also form part of the Development Plan. Policy CE5 of the HCNP relates to buildings rather than boundary treatments and is not considered directly applicable to this application.

## Design & Character of the Area

Policy SD2 states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness in terms of;

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of the development (the balance between built form and green/public spaces)
- Green infrastructure; and
- Relationship to neighbouring properties, street scene and the wider neighbourhood

This proposal has been revised from the original proposal which involves the brick pillars of the wall being increased in height by varying amounts from the original height.

For the purposes of the table below, Pillar 1 is attached to the host property and pillar 6 forms the boundary with no 2 Arran Close. There is no change to the end pillars

<i>approx m</i>	<i>Original height m</i>	<i>Proposed height m</i>
Pillar 1 2.4	Timber infill 2.37	Pillar 1 2.44 Timber infill unchanged
Pillar 2 2.388	Timber infill 2.21	Pillar 2 2.43 Timber infill 2.4
Pillar 3 2.3	Timber infill 2.06	Pillar 3 2.48 Timber infill 2.43
Pillar 4 2.17	Timber infill 2.14	Pillar 4 2.54 Timber infill 2.56
Pillar 5 2.15	Timber infill 2.30	Pillar 5 2.65 Timber infill 2.7 (high) 2.1 lowest
Pillar 6 2.1	fence ends	Pillar 6 2.1 fence ends

The table above demonstrates the increases in height of the fence, which takes account for the slightly sloping nature of the site. The original height of the boundary wall was in excess of 2m and there are other examples of high boundary treatments within the cul de sac and in the general area.

The increased height has been achieved by increases of between 3 and 8 courses of brick to each brick pillar and wall with timber infills inserted.

The chamfered fencing insert is a solution put forward by the Applicant as it is understood that they do not have the adjoining landowners consent to increase the height of the end pillar (no 6) adjacent to 2 Arran Close.

Whilst this results in a step down in the height of the fence at the end it is not considered to be detrimental to the character and appearance of the street scene so as to justify refusal of permission.

Some climbing plants have been attached to augment existing climbing plants on the original fence, which in time will further screen the area and soften the fence. Whilst this is a corner plot, the differing materials used and the set back away from the highway is considered to add visual interest and not detract from the character and appearance of the street.

It should also be noted that sizeable boundary fences are also located elsewhere in the cul de sac and surrounding area. Given the set backs from the street frontages involved, they are not considered to be overly dominant.

Overall, the screen fence is considered in keeping with the character and appearance of the residential area. The proposed development would comply with Policy SE1, SD1 & SD2 of the CELPS.

### **Impact on the Highway**

Saved Policy GR9 of the Congleton Local Plan advises that development proposals should not have an adverse effect upon highway safety or traffic generation.

The plot is set in from the kerb on the Arran Close elevation with a fence line set within a generous grass verge ranging in distance from 3.7m to 5.1m from the edge of verge/highway to the fence line.

The proposal does not extend the fence line any closer to the highway and therefore has no impact upon the visibility on the highway. As a result, the visibility of the adjacent driveway at 2 Arran Close is unchanged by this proposal.

Overall, the proposal is considered to comply with Policy GR9 of the Local Plan

### **Conclusions**

The proposal is considered to be in keeping with its environment and to have no impact upon the character and appearance of the area or highway safety and is thus considered to comply with the relevant Local Plan Policies, the NPPF and is recommended for approval.

### **RECOMMENDATION:**

**APPROVE** subject to the following conditions

#### **1. Approved Plans**

*In order to give proper effect to the Southern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*

