

Officer's Report

Planning Application No: 144761

PROPOSAL: Planning application for 1.8m high Pallas fence to front and side boundaries.

LOCATION: 11 The Granthams Dunholme Lincoln LN2 3SP

WARD: Dunholme and Welton

WARD MEMBER(S): Cllr S England; Cllr Mrs Grimble Cllr Mrs Rodgers

APPLICANT NAME: Mrs Eloise Rimmer

TARGET DECISION DATE: 07/06/2022

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant Permission

This application has been referred to the Planning Committee, as the development would be considered a departure from the Development Plan, but that there are material considerations that would indicate doing so. There are 3rd party objections on planning grounds that are considered to be finely balanced.

Description:

The application site comprises a detached bungalow located in a residential street within Dunholme. The street, The Granthams, is effectively a cul-de-sac which branches south off "Merleswen" before heading east and at the end turning in a circular direction around a grassed area. A 1.8 m high wire mesh fence has been erected enclosing the front garden area. This application seeks permission for its retention. It has been erected to provide a secure outside play area for an autistic child.

Extract from Supporting Statement: While my son regularly uses the rear garden and this outdoor space is vital for him, we felt that creating an additional safe, external area to the front of the property would be of real benefit. This alternative outdoor space provides him with the opportunity to see the world go by and interact with our neighbours and community, something that he isn't able to do in the rear garden. We have already seen how much he loves and benefits from the space. When considering options of how to enclose the front garden the safety of my son was paramount, and the fence had to be of a height that he would not be able to climb over. A solid fence would have defeated the point of my son being able to engage with the wider world, but equally, this would have appeared quite dominant in the street. We feel that the chosen fence not only provides a safe and stimulating environment for my son, but the design also ensures that the visual impact is limited.



Relevant history:

131283: Application for a single storey extension. GC 27.06.2014.

Representations:

Chairman/Ward member(s):

No comments received.

Parish/Town Council/Meeting:

No comments received.

Local residents:

5 The Granthams (Support): we do not have a problem with the fence being put up outside the front of the property, as we truly believe that children should be able to have a safe space to be able to play and be outside like any other child has the opportunity to. This fence is non-obtrusive and is no issue to us, nor should it be the rest of the street. This fence is wholly appropriate.

10 The Granthams (General Observation): As much as I fully understand the reason for this fencing, it is still an eyesore and it also interferes with the ease of access to our property. I would suggest that the fence should be repositioned further into No. 11's front garden area. They could then regain the use of their backdoor footpath, which is currently blocked off.

12 The Granthams (**Object**): It is unacceptable and looks like an animal pen at the zoo. The fence is a complete eyesore and removes parking to the front of the property, which involves the owners and visitors parking on the pavement, which is a bad state of repair, and any visitors parking outside my property again on the pavement, which makes our dogs bark causing them upset. I know that there are no parking restrictions on the road but everyone has to be considerate when visiting others. I would like to point out that the owner himself has informed me that he

	<p>hasn't sort any form of planning permission for the various extensions to their property 11 The Granthams</p> <p><u>13 The Granthams</u> (Support): I have no problems with the Pallas Fence. It is unobtrusive, and it will be an asset.</p> <p><u>14 The Granthams</u>: We do not have any problem or complaint with the fence that has been erected.</p> <p><u>17 The Granthams</u>: When we saw the fence surrounding your front garden we applauded your tenacity, love and support to keep your son safe. A brilliant idea which in no way detracts from the surroundings in our view. It is unobtrusive and a great solution. As time has gone on more traffic comes into the Granthams and invariably people drive the wrong way around the roundabout. Visibility is also reduced by the number of properties with high hedges.</p> <p><u>19 The Granthams</u> (Support): I received what I believe to be an eloquent post card which outlines the need for such a fence. I presume you have said details which do not need repeating.</p> <p><u>22 The Granthams</u>: We were both happy to see your son enjoying his outside play, safely in the area. Also, with Health and Safety Issues in mind the outside area you have provided is a good option for your son and also for the safety and peace of mind of residents and motorists.</p>
LCC Highways/Lead Local Flood Authority:	No objections. This proposal will have no impact on the highway.
IDOX:	

Relevant Planning Policies:	
National guidance	National Planning Policy Framework National Planning Practice Guidance
Local Guidance	<p>Central Lincolnshire Local Plan (2012 -2036):</p> <p>LP1: A Presumption in Favour of Sustainable Development LP17: Landscape, Townscape and Views LP26: Design and Amenity</p> <p>With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021).</p> <p>Full weight is being given to these policies in the determination of the application.</p> <p>https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/</p>
Neighbourhood Plan:	<p>Dunholme Neighbourhood Plan:</p> <p>Policy 4: Design Principles https://www.west-lindsey.gov.uk/planning-building-</p>

	control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/dunholme-neighbourhood-plan-made
<p>Draft Central Lincolnshire Local Plan:</p>	<p>In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:</p> <p>(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</p> <p>(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</p> <p>(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”</p> <p>Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (which expired on 9th May 2022).</p> <p>The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst the extent to which there may still be unresolved objections is unknown.</p>

<p>POLICY LP26 – Design and Amenity</p>	
<p>Is the proposal well designed in relation to its siting, height, scale, massing and form?</p>	<p>A 1.8m high solid fence would be incongruous in this location however permeable fencing of this height has less of an impact.</p>
<p>Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?</p>	<p>Whilst the form of fencing proposed is one not normally found within the area, nevertheless the wire mesh fencing allows for permeability as can be seen from the photographs above. It is also has a black finish which reduces prominence compared to a galvanised finish. Some limited positive weight is attached to need for the fencing and on balance it is considered acceptable. Whilst personal permissions should normally be avoided, in this case as the personal circumstances of the applicant have added positive weight in the determination of the application it is considered appropriate to issue one.</p>

Does the proposal harm any important local views into, out of or through the site?
No.
Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?
No.
Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?
No.
Does the proposal adversely impact any existing natural or historic features?
No.

Other considerations:
Does the proposal enable an adequate amount of private garden space to remain?
Yes
Does the proposal enable an adequate level of off street parking to remain?
Yes
Access encroachment
In terms of the comment made about restricting access above, the fencing is on land within the applicant's ownership.

Conclusion and reasons for decision:
The form of fencing proposed is not normally found within a primarily residential area. Whilst it would not strictly be in accordance with policy LP26 of the CLLP or policy 4 of the NP there are material considerations that would indicate approval should be granted in this instance. The wire mesh fencing allows for permeability and has a black finish which reduces prominence compared to a galvanised finish. Some limited positive weight is also attached to the need for the fencing. Whilst personal permissions should normally be avoided in this case as the personal circumstances of the applicant have added limited positive weight in the determination of the application it is considered appropriate to issue one.

Recommended Conditions:

1. This permission is granted to Mrs Eloise Rimmer whilst resident at 11 The Granthams, Dunholme only. Once Mrs Eloise Rimmer no longer resides at 11 The Granthams the fencing must be removed within one month of departure.

Reason: Positive weight was attached to the personal circumstances of Mrs Eloise Rimmer in the determination of this application.