



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0070

LOCATION: 9 Rookery Lane, Northampton, NN2 8BQ

DESCRIPTION: Erection of fence alongside drive.

WARD: Spring Park Ward

APPLICANT: Anthony Shaw
AGENT: Anthony Shaw

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a relative of employee

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development would have a neutral impact upon the character and appearance of the locality and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to replace a hedge that is sited adjacent to the site boundary with a wooden fence. This fence would taper from 1.8m in height to 0.9m in height.

3. SITE DESCRIPTION

3.1 The application site consists of a detached dwelling located in an existing residential area. Dwellings within this vicinity are often located on sizeable plots and are set back from the highway. This creates a generally open character, although there are a number of tall hedges and other boundaries visible in the street scene.

- 3.2 The application site features an attached garage, which is set back from the road. The south-eastern boundary of the driveway is currently marked by a substantial conifer hedge, which runs from the garage to the edge of the pavement.

4. PLANNING HISTORY

- 4.1 Planning permission for the wider residential development was granted in the mid-1960s. This was subject to a condition that removed permitted development rights for the installation of boundary treatments (ordinarily boundary treatments of up to 1m when adjacent to a highway can be installed without planning permission). The reason for this condition was to ensure that the installation of any future boundary treatments would have a neutral impact on amenity.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document.

- 5.3 Paragraph 17 of the NPPF requires that planning decisions take into account the character of different areas and should seek to secure a good standard of design and amenity for future occupiers of land and buildings.

5.4 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

- 5.5 Policy S10 requires that new developments be of a high standard of design in order to promote a sense of place.

5.6 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

- 5.7 Policy E20 requires that new buildings reflect the character of the surroundings in terms of layout, siting, form and scale.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 None

7. APPRAISAL

7.1 The proposed development would result in the loss of a hedge, which contributes to a general verdant character in the surrounding area; however, it is of an unremarkable species and is of a very short length. As a consequence, the overall contribution is small and its loss would not unduly impact upon the area's character. In addition, the street pattern is such that similar boundary treatments (albeit generally associated with rear gardens) are visible in a number of locations. The fence would also be lower than the existing hedge. As a result of these factors, it is considered that there would be no significant adverse impact upon the character and appearance of the locality.

7.2 By reason of the separation distances between the proposed fence and the surrounding dwellings, there would be no significant adverse impact upon the amenities of existing residents in terms of matters such as light, outlook and privacy.

7.3 It is recognised that the development would result in a fence of 0.9m being constructed in close proximity to the pavement. It is not considered that this would have any significant adverse impact upon highway or pedestrian safety. The reason for this is that the existing hedge occupies a similar position to the proposed fence, which means that there would be an enhancement of visibility over the existing situation. Furthermore, if the aforementioned restrictive condition from the 1960s was not in force, a fence of 1m could be constructed in this location. For these reasons, it is considered that the development would not have a significant adverse impact upon highway safety.

8. CONCLUSION

8.1 The proposed fence would have a neutral impact upon the character and appearance of the surrounding area and the amenities of the neighbouring properties. As a consequence, the development is considered to be in conformity with the requirements of national and local planning policies.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block Plan; Proposed Elevations; and Photo Montage.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

10. BACKGROUND PAPERS

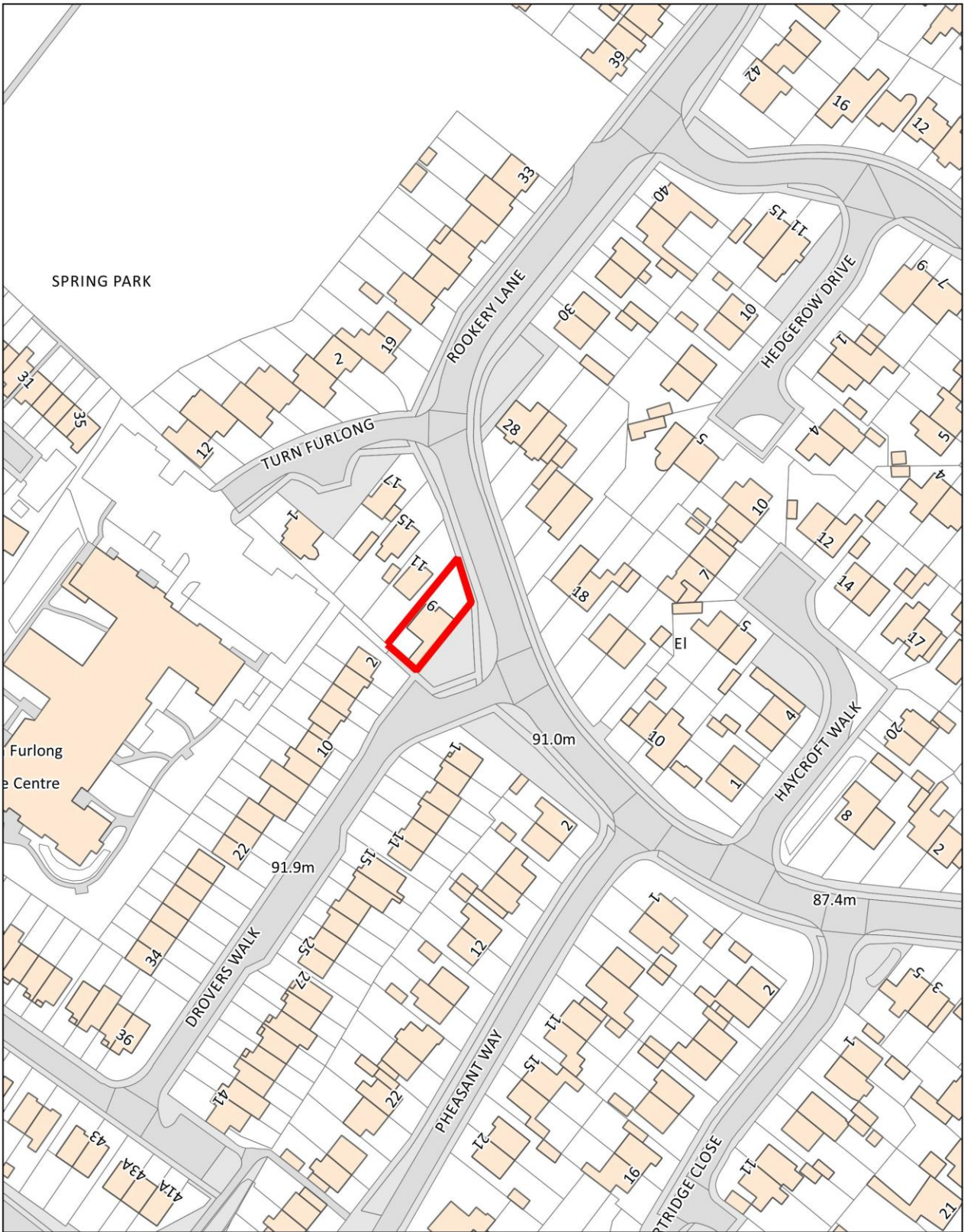
10.1 None

11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **9 Rookery Lane**

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Drawn by: Planning

