

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10th May 2017

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APPLICATION REF. NO: 17/00096FUL

STATUTORY DECISION DATE: 16th April 2017

WARD/PARISH: HEIGHINGTON

LOCATION: 30 Hawthorne Drive School Aycliffe

DESCRIPTION: Relocate boundary fence within front garden.

APPLICANT: R Weighell.

APPLICATION AND SITE DESCRIPTION

The site lies on the northern edge of the Borough in School Aycliffe, within a new housing estate built on the site of the old Aycliffe Hospital.

The detached house lies on the inside of a bend in the estate road, and is currently bounded with a high brick wall, fencing and some hedging. There is a grassed area between the garden boundary and the public highway (not highway land) and it is within this area that it is proposed to extend the boundary fence.

PLANNING HISTORY

No relevant planning applications received since the estate was granted planning permission.

PLANNING POLICY BACKGROUND

Darlington Local Plan Saved Policy H12 – Alterations and Extensions to Existing Dwellings.

RESULTS OF CONSULTATION AND PUBLICITY

Local residents were consulted and Objections have been received from 3 local residents highlighting the following issues :

- Loss of visibility of traffic on the road for drivers emerging from driveways.
- Loss of openness in this part of the estate – a precedent could be set if approved.
- Will appear unattractive in street scene.

The Highways Engineer – Comments as follows : *The grassed area in question to the side of the property is not adopted highway therefore we cannot secure visibility across third party land. Essentially the owner could grow high hedges on the boundary line without permission and it would have the same effect as the fence.*

Stopping sight distance around the bend is applicable to a 30mph speed limit and visibility off the adjacent driveway meets the criteria for a 20mph speed limit. Given that the estate is within a 20mph speed limit zone it would be difficult to refuse on highways safety grounds.

No other comments were received from consultees.

PLANNING ISSUES

The main issues to be considered in the determination of this application are: -

- Visual Amenity
- Highway Implications

Visual Amenity

A number of properties nearby on the opposite side of the road have hedges and walls abutting the public footpath, so a precedent has been set in terms of frontage garden boundary demarcation. Visual problems tend to arise when a corridor effect is created with 2 metre high fencing running along extended distances of the highway; this is not going to be the case in this instance.

In visual terms the proposal involves the erection of some ten metres in length, of 2 metre high close boarded fence up to the footpath edge and then returning some 3 metres back to the previous fence line. Some hedging will remain on the frontage and a substantial conifer hedge will remain to view to the rear.

On balance therefor it is considered that in visual terms the proposal will not be detrimental to the visual appearance of the area..

Highway Implications

No highway objections have been raised to the proposed development. The Highway Engineer has considered the highway issues and assessed the site conditions and has concluded that the loss of highway visibility will not be such as to warrant a refusal of planning permission on road safety grounds. Concerns have been raised regarding traffic exceeding the 20 MPH speed limit within the estate, however this is not something that can be taken into account when assessing a planning application. If the speed limit is adhered to then the proposed development will not increase road safety problems.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

RECOMMENDATION

THAT PLANNING PERMISSION IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS: -

- 1) A3-Implementation Limit
- 2) The development shall be carried out in complete accordance with the approved plan(s) as detailed below:

17116/P001

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.