

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 4 March 2020

APPLICATION REF. NO:	19/01150/FUL
STATUTORY DECISION DATE:	10 February 2020
WARD/PARISH:	MOWDEN
LOCATION:	41 Conyers Avenue, Darlington
DESCRIPTION:	Erection of new boundary fence (Retrospective) (as amended by plan received 28/01/20)
APPLICANT:	Ms Amanda Baker

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS (see details below)

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website.

APPLICATION AND SITE DESCRIPTION

1. The application property is a large detached north facing dwelling on the corner of Conyers Avenue and Barnes Road, set within a predominately residential area.
2. Retrospective planning permission is sought for the erection of close boarded timber fencing with capping rail along the northern, western and southern boundaries measuring approximately 1.8m in height.
3. Improvements have been negotiated in regards to highway safety raised by our Highways Engineer. If permission is approved, the applicant will lower a corner section of the fencing to 1m in height to improve highway visibility in compliance with national and local highway guidance. A section of timber fencing 1.8m in height will be then be erected diagonally 2.4m from the corner point to provide a secure boundary for the application property. It has been agreed that these works will be completed within two months of the date of this meeting, should planning permission be granted and this will be secured by planning condition.

MAIN PLANNING ISSUES

4. The main issues with application are:
 - a) Impact on visual and residential amenity
 - b) Impact on highway safety

PLANNING POLICIES

5. Relevant Local Plan and National Planning Policy Framework policies include those seeking to ensure that new development:-
 - a. Is in keeping with character, design and external appearance of the dwelling, street scene and surrounding area and that adequate privacy in rooms, gardens and other outdoor buildings is maintained (H12)
 - b. Provides vehicular access and parking suitable for its use and location and which reflects appropriated maximum parking standards set out in the Tees Valley Highway Design Guide CS2 (h))

RESULTS OF TECHNICAL CONSULTATION

6. No objections in principle have been raised by the Council's Highways Engineer.

RESULTS OF PUBLICITY AND NOTIFICATION

7. **Four letters of objection** were received following the Council's publicity exercises.
8. Comments relate to concerns regarding highway safety and impact on visual and residential amenity. Their main concerns to the application are summarised below:-
 - Fencing has removed the splayed sight line, impairing ability to safely exit the drive of No.91 Barnes Road
 - Visibility splay has been reduced at/and close to busy junctions which is further exacerbated by addition parking at school drop off/pick up times. Conyers Avenue is a busy thoroughfare through Mowden Park Estate
 - Unsightly views
 - Enclosing a green open space area and not in keeping with rest of estate
 - Other people have had permission refused
 - Removal of tall hedge being removed prior to development (not a planning consideration)
 - Enclosing a sub-station (not a planning consideration)

PLANNING ISSUES/ANALYSIS

(a) Amenity

9. The existing timber close boarded fence has been erected in place of mature hedging which has been removed without the need for planning consent. The fencing will be visible from the highway, will measure approximately 1.8m high and will run along the northern, western and southern boundaries of the application property, leaving the front garden open plan.
10. Other properties on the corners of Carleton Drive, Carlbury Crescent and Fulthorpe Avenue on the Mowden Estate have had similar fences erected alongside boundaries with pavements.
11. The erection of the fencing will not significantly impact nearby residential properties in regards to the fencing being overbearing when viewed from front gardens from properties on Conyers Avenue, Barnes Road or Edgecombe Drive. Nor would it result in loss of light or outlook to the extent that it would be justified to refuse planning permission on these grounds.
12. The proposal would not raise any significant issues in regards to residential or visual amenity or highway safety and is therefore considered acceptable.

(b) Highway safety

13. The Highways Engineer has no objection to the proposal due to improvements being negotiated in regards to highway safety which have addressed previous concerns in regards to poor visibility.

CONCLUSION AND RECOMMENDATION

14. The planning application has been amended to lower a section of the fencing at the point of the driveway to the south (No. 91 Barnes Road), improving the visibility splay and is acceptable in terms of both amenity and highway safety and would accord with the appropriate local development plan policies and the National Planning Policy Framework 2019.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below within two months from the date of the planning committee (4 March 2020):

Site Plan and Detail Dwg. No. PR01/A dated Dec 2019

REASON – To ensure the development is carried out in accordance with the planning permission.