

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. S. Nash 'A'	New 1800 mm high boundary fence - 47 Linthurst Road, Barnt Green	GB CA	B/2007/0759 04.09.2007

**Councillor Mrs. A. E. Doyle has requested that this application be considered by the Committee, rather than being determined under delegated powers.**

**RECOMMENDATION:** that permission be **GRANTED**.

### Consultations

Lickey and  
Blackwell PC

We object to the fence -

1. It does not replace a hedge as stated in your letter. The hedges still exist behind the fence.
2. The fence we believe encroaches on to the highway as it now includes the speed limit sign within its boundary.
3. It is against the Village Design Statement Section 11.4 on retaining hedges and trees as boundaries (12.07.2007).

Further comments received 17.08.2007

Lickey and Blackwell Parish Council object to this retrospective planning application, and request that the Planning Committee consider it for the following reasons:

1. It is against our Village Design Statement, which has been adopted by Bromsgrove District Council as SPG9. Section 11.4 states "trees and hedges should be retained as boundaries in preference to brick walls, wooden or metal fencing," and Section 11.7 states "any tree / hedge lost should be replaced whenever possible. Key locations are village entrances, distance view points..." The Parish Council believes that this site, especially in its prominent position, fulfils these criteria.
2. It is against the guidance in the Barnt Green Conservation Area, which again emphasises the rural character of the area, and the need to retain hedges and trees rather than fences and railings (paragraphs 3.1.6, 3.5.2.3 and 3.7.4).

It should not be used as a precedent that there are other such fences nearby, as these fences pre-date both the Village Design Statement and the Barnt Green Conservation Area designation. Indeed, it was examples such as these that led to the impetus for such designations.

Barnt Green PC

Barnt Green Parish Council would like the above application to be considered by the Planning Committee for the following reasons:

This is a retrospective application for a close-boarded fence replacing what was a 1 metre high wire mesh boundary treatment that was almost invisible, being embedded in a substantial laurel hedge. The fence is unsightly and damaging to the setting of the Barnt Green Conservation Area at a critical entry into Barnt Green from Bromsgrove. The

Conservation Area was designated on 25th September 2000 and Peter Bassett, Conservation Officer for the District at that time, drew up a draft appraisal. In that appraisal, he commented on the 'setting of fields and woodland' (Barnt Green Conservation Area Character Appraisal [BGCACA] paragraph 2.2.1); the 'rural character' of the Conservation Area (BGCACA, paragraph 3.1.2); 'groups of mature trees, avenues and hedges' that 'limit views', and 'characteristic winding roads' that 'give serial vistas with hedges and trees' (paragraph 3.1.6). Paragraph 3.5.2.3 points out that 'trees and hedges dominate the landscape contributing significantly to the rustic character of the area'. Concern is also expressed about the threat of 'loss of traditional hedges and replacement with ... fences and railings' (BGCACA, paragraph 3.7.4); that is, precisely what the applicant is threatening in this case.

This fence is clearly totally out of keeping with the Conservation Area and it should be dismantled before the laurel hedge behind it is seriously damaged (07.08.2007).

Highways Partnership  
Conservation Officer      No objection (31.07.2007).  
No objection (13.07.2007).

### The site and its surroundings

This application relates to a detached bungalow, located in a large plot on the corner of Linthurst Road and Shepley Road. The property has mature gardens to the front, side and rear. There is a 1.2 metre high close-boarded fence to the front boundary of the property, and a 1.8 metre fence running the full length of the side boundary, along Shepley Road.

### Proposal

This is a full application seeking approval for the retention of the 1.8 metre fence running the length of the side boundary along Shepley Road.

The 1.2 metre high fence to the front boundary of 47 Linthurst Road has recently been granted retrospective planning permission - under planning application number B/2007/0547.

### Relevant Policies

WMSS      QE3  
WCSP      CTC.1, D.38, D.39, CTC.19, CTC.20  
BDLP      DS2, DS13, S25A  
Others      PPS1, PPG2, PPG15, Lickey and Blackwell Village Design Statement

### Relevant Planning History

B/2007/0547      New 1200 mm high boundary fence: approved 18.07.2007

## Notes

This application has come as a result of an enforcement query, and relates (retrospectively) to a 1.8 metre fence erected along the side boundary of the property, which runs along Shepley Road.

It is understood that part of the fence is a replacement. One of the Council's Enforcement Officers has confirmed that the section of fence from the corner of Shepley Road and Linthurst Road as far as a pedestrian gate (approximately one-third of the side boundary) was previously a similar two metre close-boarded fence. The other two-thirds of the fence was post and wire fencing, through which the hedge behind had grown. The post and wire fencing was approximately 0.8 metres in height. This information came from the contractor who erected the replacement fence now the subject of this application.

The property is located within, but on the edge of, the Green Belt and adjacent to the defined Residential area of Barnt Green, with the properties located on the opposite side of Shepley Road and Linthurst Road falling within the Residential area. The property also falls within the Barnt Green Conservation Area.

Although the Bromsgrove District Local Plan and the guidance in PPG2 is unclear as to whether the erection of fencing represents appropriate development in the Green Belt, I would suggest that, provided the fencing does not unduly harm the openness of the area, the development would not prejudice the purposes of Green Belt policy. I am of the opinion that the 1.8 metre fence running along the side boundary of this established residential property would have limited harm upon the openness of the Green Belt, especially as the opposite side of the road falls within the defined Residential area, and features fences of a similar nature. It is also important to acknowledge that the applicant is able to exercise his Permitted Development Rights and erect a wall, gate or fence in this location up to 1 metre in height (0.8 metres lower than proposed) without the need to apply for planning permission.

## **Barnt Green Conservation Area**

Policy CTC.20 of the WCSP and Policy S35a of the BDLP and seeks to preserve or enhance the character or appearance of the Conservation Area. Criteria (b) of Policy S35a requires new development in or adjacent to such areas to be sympathetic to the character of buildings in the detailed treatment of matters of design including the form, scale and materials. Policy CTC.19 of the WCSP states that any development which would adversely affect those features and areas of historic and / or architectural significance which contribute to the character of the urban or rural parts of the County will not normally be allowed. Such features and areas include Conservation Areas and their settings.

Around the large junction formed by Linthurst / Shepley / Twatling / Fiery Hill / Cherry Hill Roads there are a number of side boundaries fronting onto the highway, presenting a blank façade to the highway. On the corner opposite 47 Linthurst Road is another two metre close-boarded fence, and the view along Shepley Road from the corner shows the application fence on the left, and another two metre close-boarded fence on the right. The Conservation Officer has raised no objections to the proposal, and I conclude that this small part of the Conservation Area is fairly neutral in appearance, and the retention

of this close-boarded fence would have little impact upon the character and appearance of the Conservation Area.

### **Impact on street scene**

The fence is visible in the street scene, and I acknowledge the comments made by both Lickey and Blackwell Parish Council and Barnt Green Parish Council. However, point 11.4 of the Lickey and Blackwell Village Design Statement states that 'Trees and hedges should be retained *in preference* to brick walls, wooden or metal fencing' (my emphasis). As there are other examples of wooden fences around the junctions of Linthurst, Shepley, Fiery Hill and Twatling Roads (as described above), I do not consider the weight attached to guidance in the Lickey and Blackwell Village Design Statement sufficient to warrant refusal when there are examples of similar types of fencing in the immediate vicinity, and it could be argued that a precedent has been set.

### **Residential amenity issues**

The property has one immediate neighbour at 45a Linthurst Road, but the fence is located on the opposite side of the property, and therefore the retention of the fence would have little or no impact upon the amenities of those neighbouring occupiers.

### **Conclusions**

Overall, I conclude that the proposals would not have an unduly detrimental impact upon the openness of the Green Belt, upon the character and appearance of the Conservation Area, nor on the amenity of neighbouring properties.

**RECOMMENDATION:** that permission be **GRANTED**.

No conditions required.