

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. and Mrs. J. Hadlington 'A'	Erection of boundary wall and gates to front of property - New House Adjacent to Fourways, Brake Lane, Hagley	Res	B/2007/0966 24.10.2007

RECOMMENDATION:

- (a) that the determination of the application be **delegated** to the Head of Planning and Environment Services upon the expiry of the publicity period on 15.10.2007 (minded to refuse); and
- (b) that members authorise appropriate action to secure the removal of the unauthorised structure and delegate authority to the Head of Planning and Environment Services in consultation with the Head of Legal, Equalities and Democratic Services to select the most appropriate course of action.

Consultations

Hagley PC	Consulted 30.8.07. Cars parking along Brake Lane and Sweetpool Lane causing visibility issues. Double yellow lines required.
WCC (HP)	Consulted 31.8.07: Recommends condition H5-any new access gates / doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards. (This is not the case with this development as they are located only 3.75 metres from the edge of the road).
Publicity	1 neighbour notification letter sent 31.08.2007 (expires 21.09.2007) Site notice posted 10.09.2007 (expires 01.10.2007) No comments received to date.

The site and its surroundings

This application relates to a detached house recently constructed in the grounds of 'Fourways' located on the corner of Sweetpool Lane and Brake Lane, Hagley. The house is located within the 'Residential' allocation within the BDLP 2004 and also sited opposite Green Belt.

Proposal

The applicants are applying for retrospective planning permission for the retention of the boundary wall / fencing and gates. The development stretches around the front of the premises, consisting of a boundary wall / wrought iron fencing of maximum height 1.6 metres with the gates and associated pillars being a maximum of 2.2 metres. A visibility splay has been shown on the plans measured from the central point of the junction at Sweetpool Lane but positioning of the wall / fence and gates still conflicts with advice from the Highways Engineer in the fact that there are not 5 metres between this and the edge of the highway.

Relevant Policies

WMSS QE3
WCSP CTC.1

BDLP DS13, S10
Others SPG1, PPS1, PPG2

Relevant Planning History

B/2003/0827 Erection of one detached dwelling: Approved 15.10.2003
B/2003/0828 Erection of one detached dwelling: Approved 16.10.2003
B/2003/1059 Removal of side bay window: Approved 17.10.2003
B/2004/0009 Amendment: Approved 24.02.2004

Notes

Along the south boundary of Brake Lane, as far as the eye can see there is hedging or entrances to house frontages are open. No other properties have gates / wall and fence as has been erected at this property. I therefore consider that the proposed boundary treatment has introduced an alien and urbanised feature into the street scene that has had a detrimental impact on the rural character of the locality. Although the application site is located within the 'Residential' allocation, it is however directly opposite the Green Belt and therefore conspicuous from this. PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt. I am of the opinion that because the gates and wall / fence are urbanised in appearance and are located opposite the Green Belt, they are visually detrimental by reason of this and their siting, materials and design and are therefore considered unacceptable.

RECOMMENDATION: that planning permission be refused.

- (a) that the determination of the application be delegated to the Head of Planning and Environment Services upon the expiry of the publicity period on 15.10.2007 (minded to refuse); and
- (b) that members authorise appropriate action to secure the removal of the unauthorised structure and delegate authority to the Head of Planning and Environment Services in consultation with the Head of Legal, Equalities and Democratic Services to select the most appropriate course of action.