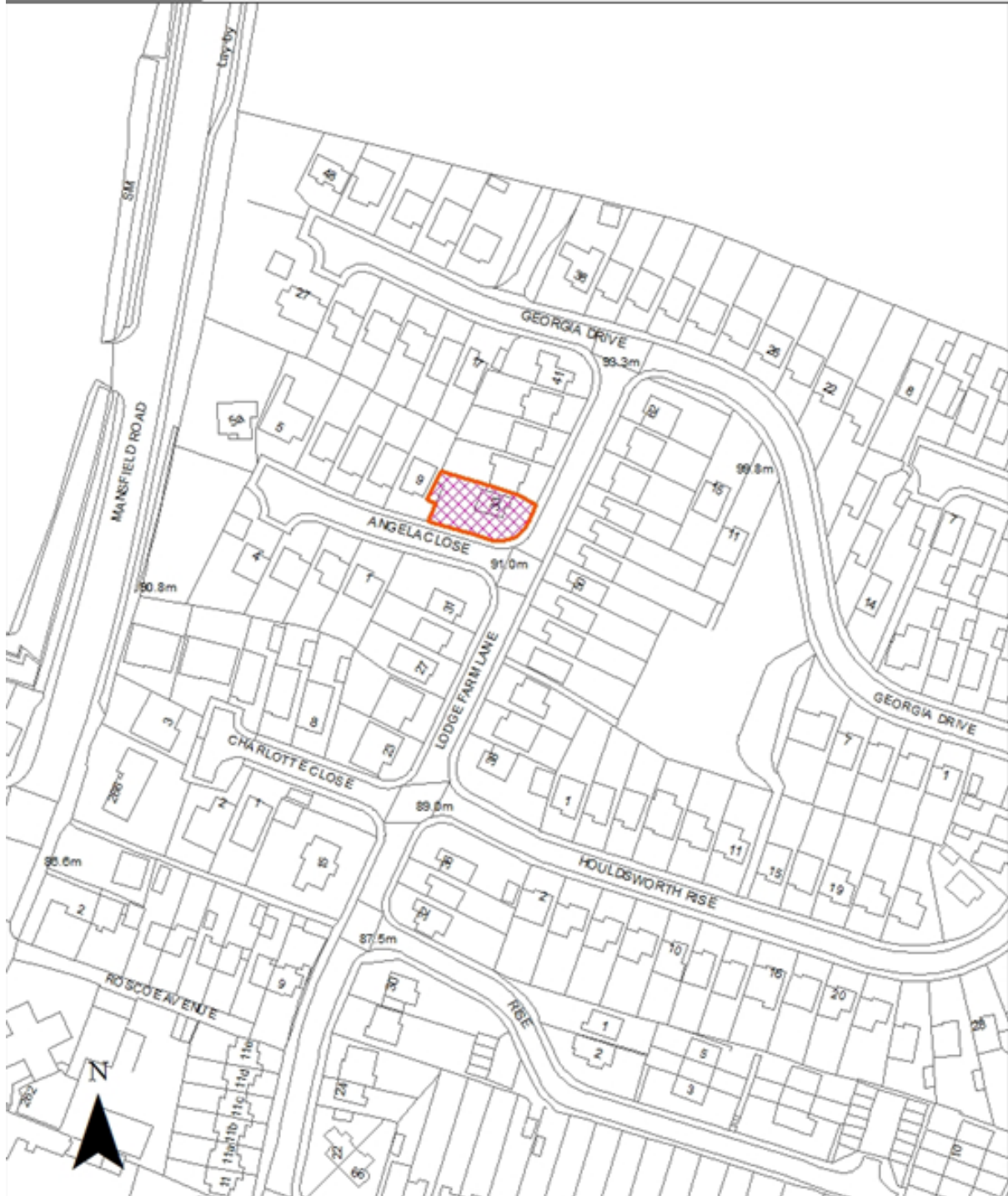


Application Number: 2014/1367

Location: 33 Lodge Farm Lane Redhill Nottinghamshire NG5 8HR



NOTE:

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Report to Planning Committee

Application Number: 2014/1367

Location: 33 Lodge Farm Lane Redhill Nottinghamshire NG5 8HR

Proposal: Removal of masonry wall with timber fence and erection of 1.8m timber fence with concrete posts and gravel boards

Applicant: Mr Shaun Payne

Agent: Mr Jason Catley

Case Officer: Elizabeth Campbell

This application is being brought to the Planning Committee due to the applicant being related to a Councillor at Gedling Borough Council.

Site Description

This application relates to 33 Lodge Farm Lane, which is situated on the junction of Lodge Farm Lane with Angela Close. It is a two storey modern detached property with an open frontage onto Lodge Farm Lane. The south side boundary fronting Angela Close is defined by low masonry along the back of the pavement with timber fencing and shrubs behind. There is a detached garage at the bottom of the garden accessed off Angela Close.

Proposed Development

The proposal is to remove the existing low masonry wall, timber fence and shrubs and to erect a 1.8m high timber close boarded fence with concrete posts and gravel boards:

- Across the front of the side garden from the corner of the house to the back of the footway on Angela Close
- Along the back of the pavement on the Angela Close along the line of the masonry wall
- Along the driveway to the garage from the back of the footway on Angela Close and enclosing the back garden

The masonry wall has already been removed for safety reasons

Planning permission is required because the new fence is over one metre high and abutting the highway (which includes the footway).

Consultations

Nottinghamshire County Council (Highways) – The fencing will not pose any visibility concerns from the junction. There are no highway issues to the proposal.

Neighbouring properties have been notified and a Site Notice posted. No representations have been received in response.

Planning Considerations

The main issues in the determination of this application are the highway issues, the impact on the character and appearance of the area and any effect on the amenities of neighbouring properties.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under Section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and of which the Council must take account. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been given to the GBACS. However, should the GBACS be quashed I do not consider that a different recommendation would be reached given that the policies reflect the guidance contained within the NPPF. The following policy is relevant: -

Policy 10 – Design and Enhancing Local Identity

This policy reflects the guidance contained in the NPPF and Replacement Local Plan policies (see below)

Appendix E of the GBACS refers to the following saved relevant policies contained within the Gedling Borough Replacement Local Plan (certain policies saved) 2014:-

- ENV1 (Development Criteria);
- T10 Highway design and parking guidelines

With respect to highway issues I note that the Highway Authority has raised no objections. The visibility from the access to the garage is not an issue to the Highway Authority because of the wide footway (2 metres) at this point.

With reference to the impact on the character and appearance of the area I consider that the proposal is visually acceptable, enhancing the street scene and adaptable to meet the changing needs of the occupiers – all in accordance with Policy 10 of the Aligned Core Strategy and ENV1 of the Gedling Borough Replacement Local Plan.

With respect to the effect on the amenities of neighbouring properties I consider that there will be none.

Taking these considerations into account I consider that there will be no highway safety implications, that the proposed fence will fit in acceptably in the street scene and that it will not have an adverse effect on the amenities of neighbouring properties. For the above reasons I support this application.

Recommendation:

**To GRANT PLANNING PERMISSION subject to the following conditions:
Conditions**

1. The development must be begun not later than three years beginning with the date of this permission
2. The development shall be carried out in accordance with the details set out in the planning application form, location plan, block plan, and fence details in drawn and graphic form received on 5th December 2014. Once erected the fence shall be retained in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt as to what is permitted

Reasons for Decision

In the opinion of the Borough Council the proposed development would not raise any highway issues, would fit in satisfactorily with the street scene and not have undue impact on neighbouring residential properties or the locality in general. The proposal therefore complies with ENV1 and T10 of the Gedling Borough Replacement Plan (certain policies saved) 2014 and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy Framework

