Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 18 June, 2014.

Recommendation - Approval with Conditions

1. The works hereby permitted shall be carried out within 2 months of the date this consent, in accordance with the approved drawings being Drawing numbers 12266/02.A received on 12 February 2014 and 12266/01 received on 9 April 2014. Thereafter the development as approved shall be retained.

   Reason: In the interests of amenity and for the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   Drawing numbers 12266/02.A received on 12 February 2014 and 12266/01 received on 9 April 2014.

   Reason: For the avoidance of doubt and in the interests of proper planning.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

The application is for part retrospective permission for the construction of a wall and fencing of up to approx. 2.4m high with a trellis on top of approx. 300mm high, giving an overall maximum height of approx. 2.7m. This treatment is proposed to the eastern boundary of the property that runs next to a public alleyway. A small amount of garden area is proposed to have the ground level reduced by up to a maximum of
Representations

The application has been advertised by individual neighbour notification to the owners and occupiers of neighbouring properties.

Three letters of representation have been received with the following comments:

- The fence has been erected prior to planning permission being agreed.
- The fence and wall is approx. 80cm higher than the original structure with the total previous height being 1.9m.
- The overall height of the structure is approx. 2.7m measured from the base of the footpath.
- The increase in height of the fence has significantly reduced the view of the skyline from my property, making the outlook dark and oppressive.
- If the occupier wishes to increase the height this could be done with decorative trellis.
- The 6ft high fencing, when viewed by neighbours in Silverdale Drive, see a solid wooden fence that is 8ft high, obtrusive and deemed too high for such a solid structure.
- Suggest the top 2ft be removed and replaced by an open trellis so light may be seen through the structure.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Planning Appraisal

Background

This planning application has been submitted as a result of an enforcement investigation. The boundary wall and fencing have been erected in excess of 2m high. This application has been submitted to retain the fence but make amendments to its height by lowering the fence panels to 1.5m high with a 300mm trellis on top.

Principle

The principle of the proposed development within an urban area is accepted subject to consideration of design, impact on surrounding built form and neighbouring amenities.

Design

The proposed development will be seen from neighbouring properties, gardens and
the public alleyway. Along the eastern boundary a wall and fence has been constructed to replace a dilapidated wall/fence. The wall and fencing that has been constructed on site has a height of up to approx. 2.7m at its highest. This application proposes the fence panels to be reduced in height to 1.5m with an additional 300mm high trellis on top. The maximum overall height of the wall, fencing and trellis will be approx. 2.4m high.

In terms of design, the boundary treatment is considered acceptable in height and design where viewed from adjoining properties and the alleyway. Within the rear garden of the application property, adjacent to the proposed fencing the land level of a small part of the garden has been lowered by approx. 380mm so that this area of garden runs at the same level as the remaining garden. The reduction in height of the garden in this area is considered to be acceptable. The application therefore accords with Policy BNE1 of the Medway Local Plan 2003.

Amenity

Due the reduction in the fence panel height and the addition of trellis on top giving a more open aspect to the structure and the siting of neighbouring properties, it is not considered the proposal would have a detrimental impact on neighbours in terms of daylight, sunlight, outlook and privacy. The proposal is therefore considered to accord with Policy BNE2 of the Medway Local Plan 2003.

Conclusions and Reasons for Recommendation

The reduction in height of the fence panels and the addition of trellis on top is considered to soften the appearance of this boundary treatment, without harm to the amenity of the occupiers of neighbouring properties. The application is considered to accord with the above mentioned development plan policies and is recommended for approval.

The application would normally be determined under delegated powers but is being referred to Planning Committee due to the number of the representations received expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here http://planning.medway.gov.uk/dconline/AcolNetCGI.gov