

Application Recommended for Approval
Gawthorpe Ward

APP/2008/0901

Full Planning Application
Proposed extension of garden curtilage and proposed fencing
45 LAWRENCE STREET PADIHAM

Background:

This application was first submitted in 2009 and included details of a 1.8m high solid timber fence around the extended garden area. Objections were received and officers asked the applicant to amend the proposal to include a more appropriate type of boundary treatment. An amended proposal was submitted recently and further consultation was carried out with those who had objected to the original proposal.

One objection has been received to this amended scheme.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

Site History: None

Consultation Responses to original scheme:

1. Two letters from neighbouring residents objecting on the grounds that the height of the fence would result in reduced visibility for traffic
2. Ward Councillor – objects on the grounds that the fencing would drastically alter the streetscene and look completely out of place.
3. Padiham Town Council – raise no objection but express concern about land ownership and the visual effect of the fencing on the streetscene. *(The owner of the land is not known, but the applicant has followed the required procedures for making a planning application on unregistered land by advertising his planning application in a notice in the local press. No representations have been received as a result of this)*

Consultation response to amended scheme:

1. Padiham Town Council – object on the grounds that the fencing will be out of keeping with the street scene.

Planning and Environmental Considerations:

The small strip of land to the side of the applicant's dwelling is currently vacant and there are no objections to the change of use of the land either from residents or from a planning policy perspective. The main issue is the height and materials for the proposed fence and its impact on the surrounding area.



There will be no obstruction of sight-lines as a result of the new fence and the Highway Authority has raised no objection.

The amended proposal is for a stone wall of about a metre in height, with timber panels above, between stone piers. The overall height will be approximately 1.8 metres. As the gable of the dwelling is natural stone, a substantial stone element to the proposal will be more in keeping with the property than a solid timber fence. The exact type and size of stone is not specified and it will need to be a reasonably close match to the gable of the house, but this can be the subject of a condition. The proposal will then be in scale and keeping with the dwelling and with the surrounding area and will thus comply with the requirements of policies GP3 and H13.

Recommendation: The application be approved, subject to the following conditions:

Conditions:

1. The development must be begun within three years of the date of this decision.
2. Notwithstanding any description of materials in the application, no development shall start until a sample of the material to be used for the wall, and details of the colour of the stain or paint for the fencing panels, have been submitted to and approved in writing by the Local Planning Authority. The materials used in the development shall be in accordance with the approved scheme, to the satisfaction of the local planning authority.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity and in accordance with policy GP3.

SMD 18.6.10