

Application Recommended for Delegation

Whittlefield with Ightenhill Ward

APP/2008/0383

Full Planning Application

Proposed erection of 1m high ornamental gates and railings to front of property & 2m high railings reducing to 1m high to side of property

6 NORTHWOOD CLOSE, BURNLEY

Background:

In normal circumstances the proposals would be permitted development; in this instance permission is required because certain permitted development rights were taken away when the housing development on Northwood Close was approved.

An objection has been received.

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:

02/0466 – proposed first floor extension.

Consultation Responses:

Highway Authority – raise no objections on highway grounds with the proviso that a condition is attached requiring the gates to open into the property

Neighbour (no.8) – Object to the proposal. I believe that this close is to be of open plan, no fences, hedges etc. If residents were to start erecting fences it would spoil the look of the close. The proposal would also restrict the opening of my car door as the drives are too tight and hamper my view of pedestrians when reversing out of my drive.

Planning and Environmental Considerations:

The proposals involve the erection of 1m high ornamental gates and railings to the front of the property and 2m high railings reducing to 1m high to the side of the property, although the applicants have stated that they would be willing to reduce the entire railings to a height of 1m.

The main considerations are visual amenity and highway issues.

The gates and railings are proposed in black galvanised metal with copper patina.



front garden/driveway of the property



Views down the Close

In normal circumstances planning permission would not be required for the proposed gates and fence, as they would fall within development, which is allowed under permitted development rights. In this case permitted development rights with regard to the erection of garden walls and fences were removed by condition when the housing development was granted in 1974 . At that time open plan estates were in fashion and it was common practice to remove permitted development rights in order to retain an open character on housing estates. Nowadays most people expect to have their own defensible space with a boundary wall or fence around their property. This is also considered to be good practice in terms of urban design.

Northwood Close has in general remained open plan at the front of the properties with the exception of trees and a few boundary hedges.

The proposed railings and gates would be quite open in nature in that you would be able to see through them so would not detract from the existing open character. On balance it is considered that railings gates at a height of 1m would be acceptable and the open nature of the estate would still remain.

The objectors have concerns with regard to whether it will be possible to open their car doors and see pedestrians when reversing out of their driveway. Their driveway is 5m wide which is wide enough to open car doors; they also have the option of

widening it if they prefer a wider drive. The railings will not hinder their view of pedestrians due to their open nature.

The Highway Authority have no objections to the proposals providing that the gates do not open over the highway.

Recommendation: That the Head of Planning and Environment be delegated to approve the application subject to the following conditions following the receipt of amended details in respect of the reduction in height of the railings to 1m in height .

Conditions:

1. The development must be begun within three years of the date of this decision.
2. The gates shall open inwards towards the property and shall not at any time open outwards over the public highway.

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. In the interests of highway safety.

LAB
1/7/08