CASE OFFICER'S REPORT

Application Reference:	PL/2023/05891
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	31 August 2023
Case officer:	Selina (Nina) Parker-Miles

Site Address:	4 Piplar Ground, Bradford on Avon, Wilts, BA15 1XF
Proposal:	Replacement of hedgerow with fence (Retrospective)
Recommendation:	Approve with Conditions

Proposal and Site Description

The application relates to No.4 Piplar Ground a two-storey detached dwelling located within an established residential cul-de-sac in Bradford on Avon. The immediate area is characterised by detached two storey dwellings all similar in style. The cul-de-sac is located on the south side of Bradford on Avon and sits within the Bath and Bradford on Avon Special Area of Conservation for bats.

This application is seeking retrospective permission for erection of a close board fence on the south east elevation of the host dwelling. The fence replaces a hedge that was removed to facilitate the build. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 2 Minor Operations, Class A permits erection of fences adjacent to a highway if they do not exceed 1m above ground level. Planning permission is therefore required for the erection of the fence given that it has been erected at a height of 1.8m adjacent to a public highway used by vehicular traffic.

Policies

National Context:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
The Town and Country Planning (General Permitted Development) (England) Order 2015

Local Context:

The Wiltshire Core Strategy (WCS) 2015
CP2 Delivery Strategy
CP7 – Spatial Strategy for the Bradford on Avon Community Area
CP50 – Biodiversity and Geodiversity
CP57 - Ensuring High Quality Design and Place Shaping
CP60 – Sustainable Transport
CP61 – Transport and Development
CP64 – Demand Management
The ‘made’ Bradford on Avon Neighbourhood Plan 2013-2026

Key Issues
Principle of Development
Design and Visual Impact
Neighbouring Amenity
Highway Safety
Ecology

Relevant Planning History
PL/2022/02187 Single storey extension to side and rear with first floor extension over existing - Approve with conditions

Consultation Responses
Bradford on Avon Town Council - No objection
Wiltshire Council Highways - No objection

Representations
Consultation consisted of advertisement by site notice and neighbour notification. One letter of support was received.
Bradford on Avon Preservation Trust - Object *' It is regrettable that the attractive hedge has been removed, harmful to local wildlife and the open character of this estate. The fence is within a prominent location and is harmful to the green leafy character of the area and to the street scene. The fence should be removed and replaced with a hedge'*

Planning Considerations and Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development
The proposed development comprises a development relating to an existing residential property set in an established residential curtilage within the settlement boundary of Bradford on Avon. The works are wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

Design and Visual Impact
Core Policy 57 requires a high standard of design in all new developments, of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The unauthorised erected wooden feather-board fence abuts the highway to the side of No.4 for a length of approximately 18m at a height of 1.8m and is shown in the annotated image below.



The main issue of the retrospective fence is the effect on the character and appearance of the area. It is acknowledged that the subject property does not fall within a conservation area or designated landscape area. Within the surrounds of the estate, there is an open character defined by open front gardens with low-level hedges and soft landscaping however boundary walls of a similar height to the erected fence are also in situ, as illustrated by the site visit photograph below.



The erection of the unauthorised fence whilst resulting in a loss of a stretch of soft landscaping does creates a uniform height to the site boundary area that stretches the length of the southeast elevation of the host dwelling. The sustainable material is deemed acceptable, consisting of a softwood that would weather down to a soft hue.

The Bradford on Avon Preservation Avon Trust have objected to the retrospective development on the grounds citing concerns that the fence is erected '*within a prominent location and is harmful to the green leafy character of the area and to the street scene* ' and this is duly noted. However, officers consider that the development is of an acceptable appearance that does not appear out of character within this established residential area, and given the limited footprint, extending over 18m, do not consider it harmful to the immediate character and appearance of the area. Officers also acknowledge the support received from an immediate neighbour in regards to increased security for the homeowner given that an area of public open space is located to the south of No.4 Piplar Ground.

The fence is considered acceptable in visual impact terms and officers consider that it does not stand out as an incongruous addition within the immediate area. It is considered that the retrospective fence does by virtue of its height, scale and design constitute an acceptable addition to the host dwelling that would appear commensurate to the size of the property and plot. The development would therefore comply with Policy CP57 of the WCS.

Impact on Neighbouring Amenity
Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

The erected fence is located on the south east boundary of the application site adjacent to a pedestrian accessway and public highway. The development benefits from extended separation distances to any immediate neighbours therefore no objections are raised in relation to overbearing or overshadowing that would be introduced by the erection of the fence.

Given the scale of the development proposal, it is considered that the retrospective development would not result in unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy

Highway Safety
The erected fence lies adjacent to a public highway however it is set back from the highway due to the pedestrian accessway. The development does not incorporate any type of pedestrian or highway access from the host dwelling to the public highway and retains the existing access, to the west of the application site within the cul-de-sac, and therefore would not impact on the existing highway arrangement within the residential estate. The properties to the north of the application site do not benefit from any access that would be affected by the erected fence, therefore no objections are raised in relation to highway safety.

The highways officer was consulted on the scheme and offered no objections satisfied that that the proposed fence will not have an adverse effect on the highway, therefore no objection is raised in relation to highway safety. As such the proposal accords with policies CP60, of the Wiltshire Core Strategy and Paragraph 111 of the NPPF.

Ecology
The application site sits within the Bath and Bradford on Avon Special Area of Conservation for bats and therefore due consideration has to be given to the potential disturbance of any bats because of the development. However given the nature of the works, erection of a boundary fence, no concerns are raised in relation to the protected species.

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and for major applications, the expectation is that development will deliver a net gain. At the current time therefore, the Council expects all applications to demonstrate no net loss of biodiversity and where appropriate to deliver a net gain. Officers are cognisant that the removal of the hedgerow has led to loss of some habitat, however given the limited extent of the hedgerow that was removed any loss of habitat would be considered nominal.

RECOMMENDATION: Approve with conditions

Conditions: (1)

2 This retrospective planning approval has been considered on the basis of the following plans:
Location Plan Received 17.07.2023
Block Plan Received 03.08.2023
Annotated Fence Photo Received 02.08.2023

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