



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

45/2012/1163
1 Willow Court
Rhyl

6



Application Site

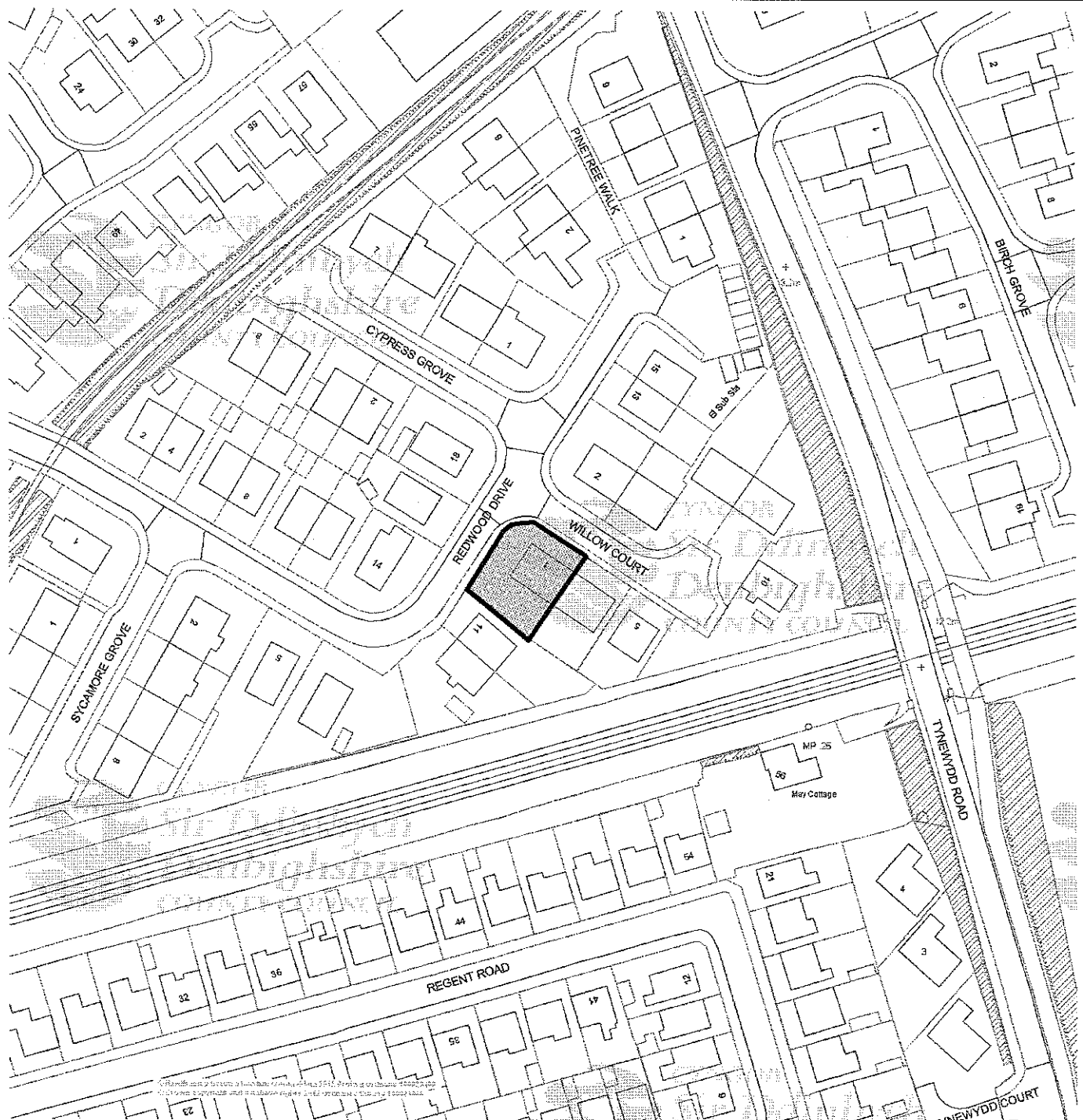


Date 8/11/2012

Scale 1/1250

Centre = 302071 E 381802 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



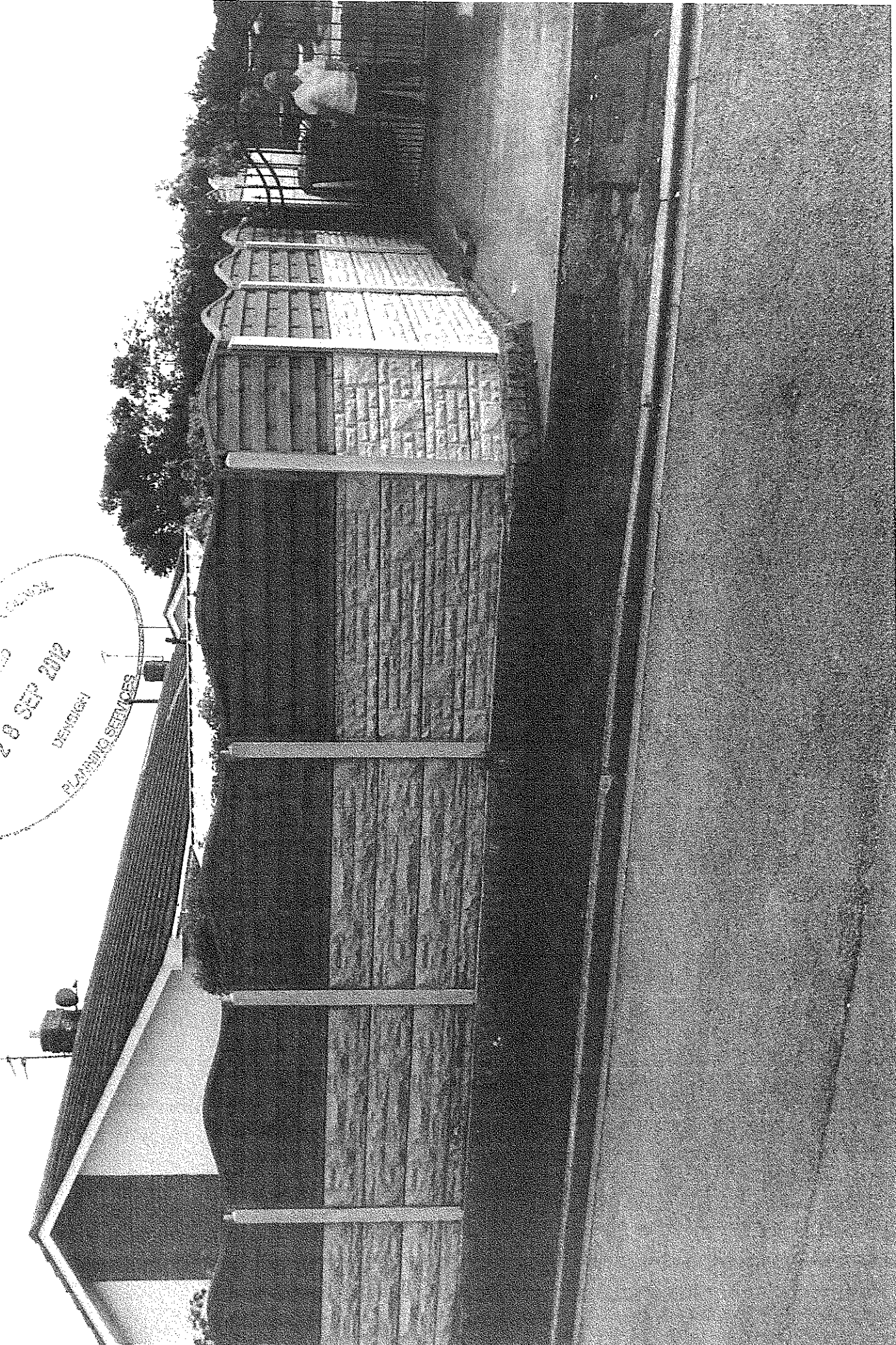
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FENCE DETAIL

1

DESIGN: [unreadable]
REVISION: [unreadable]
28 SEP 2012
DESIGNER: [unreadable]
PLANNING SERVICES



ITEM NO: 6
WARD NO: Rhyl East
APPLICATION NO: 45/2012/1163/ PC
PROPOSAL: Retention of 1.8 metre high fence attached to existing boundary wall
(Retrospective application)
LOCATION: 1 Willow Court Rhyl
APPLICANT: Mrs A G Pitt
CONSTRAINTS: C1 Flood Zone
PUBLICITY Site Notice - No
UNDERTAKEN: Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Retrospective application recommended for refusal, and enforcement action recommended.

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

"Object on the following grounds. The fence is considered to be detrimental to the appearance of the neighbourhood and is out of keeping with the layout of the estate as designed, which is predominantly comprised of properties without any boundary wall/fences or very low walls. As such the Council feel that the proposed wall represents a negative impact on the street scene.

Due to the negative impact of the fence the Town Council would request that the Local Planning Authority considers enforcement action to secure the removal of the fence and ensure that the garden is reinstated to an acceptable standard".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
HEAD OF TRANSPORT AND INFRASTRUCTURE
No objection.

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 25/11/2012

REASONS FOR DELAY IN DECISION (where applicable):

- N/A

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application is seeking planning permission to retain a 1.8 metre high boundary fence at No. 1 Willow Court in Rhyl. The fence comprising of concrete posts, sectional concrete panels at ground level and timber panels above them has been erected in place of a hedge on the north-western boundary of the site, fronting Redwood Drive.

1.2 Description of site and surroundings

1.2.1 The site is located in east Rhyl, on an open plan estate of bungalows built in the 1970's. No. 2 is a semi-detached corner plot bungalow which fronts Willow Court and has a side boundary to Redwood Drive, where the fence has been erected.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl.

1.4 Relevant planning history

1.4.1 There is no planning history on the site.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 The application was submitted as a result of an enforcement investigation.

2. DETAILS OF PLANNING HISTORY:

2.1 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy GEN 1 Development Within Development Boundaries

Policy GEN 6 Development Control Requirements

Policy TRA 6 Impact of New Development on Traffic Flows

3.2 GOVERNMENT POLICY GUIDANCE

Planning Policy Wales 2011 Edition 4

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

4.1.1 Principle

4.1.2 Visual Impact

4.1.3 Highways Safety

4.1.4 Other Matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy GEN 1 states that development will mainly be located within development boundaries.

Development is permitted subject to compliance with the general development control criteria as set out in Policy GEN 6. Policy GEN 6 contains a range of development control criteria to enable assessment of the various aspects of a proposal, including visual impact and highways impacts. The detailed impacts are considered below.

4.2.2 Impact on Visual Amenity

Policy GEN 6 part i) seeks to ensure that development respects the site and surroundings in terms of siting, layout and design.

The dwelling is located on an open plan estate of bungalows, where some of the dwellings have open frontages and some have low/dwarf walls. There are some dwellings with panel fencing to the rear/side boundaries to give partial screening to the rear gardens. This application proposes the retention of a fence of concrete and timber panels which is at the side of the bungalow, i.e. fronting Redwood Drive. The fence has replaced a hedge. It completely encloses the side of the dwelling from Redwood Drive.

Enclosing this area with a solid fence is clearly out of keeping with the area, owing to the open plan nature of the development in the estate. The negative visual impact of the development is compounded by the poor quality design and materials of the fence, i.e. the grey concrete panels and posts, and treated timber panels with an orange stain with a curved top.

In terms of the visual impact of the development, it is considered the proposal impacts significantly on the character and appearance of the area which would be contrary to planning policy GEN 6.

4.2.3 Impact on Highway Safety

Policy TRA 6 seeks to ensure that development does not unacceptably affect the safe and free flow of traffic and that the capacity and traffic conditions on the surrounding road network are satisfactory.

The 1.8 metre fence runs adjacent to the access to No. 11 Redwood Drive. Highways Officers have considered the details of the proposal. They consider it acceptable in terms of highway safety.

Having regard to the relevant response, it is not considered the proposal would be contrary to highways safety policies set out in TRA 6.

4.2.4 Other matters

If permitted the proposal would set a precedent for similar developments on the estate which Officers would not wish to encourage. The enclosure of multiple frontages on the estate would have a detrimental impact on the character and openness of the area and would reduce natural surveillance through the estate which is regarded as a good principle of planning.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application proposes the retention of a 1.8 metre fence at No.1 Willow Court. The fence is considered to have a negative impact on the character and appearance of the area and to allow its retention would in Officers opinion be contrary to planning policy.

RECOMMENDATION: REFUSE - for the following reasons:-

1. It is the opinion of the Local Planning Authority that the retention of the 1.8 metre boundary fence would have a detrimental impact on the visual amenity, and open character and appearance of the area, and would create an undesirable precedent for similar developments on an open plan estate which the Local Planning Authority would find difficult to resist. The proposal is contrary to criterion i) of planning policy GEN 6 Development Control Requirements.

NOTES TO APPLICANT:

None