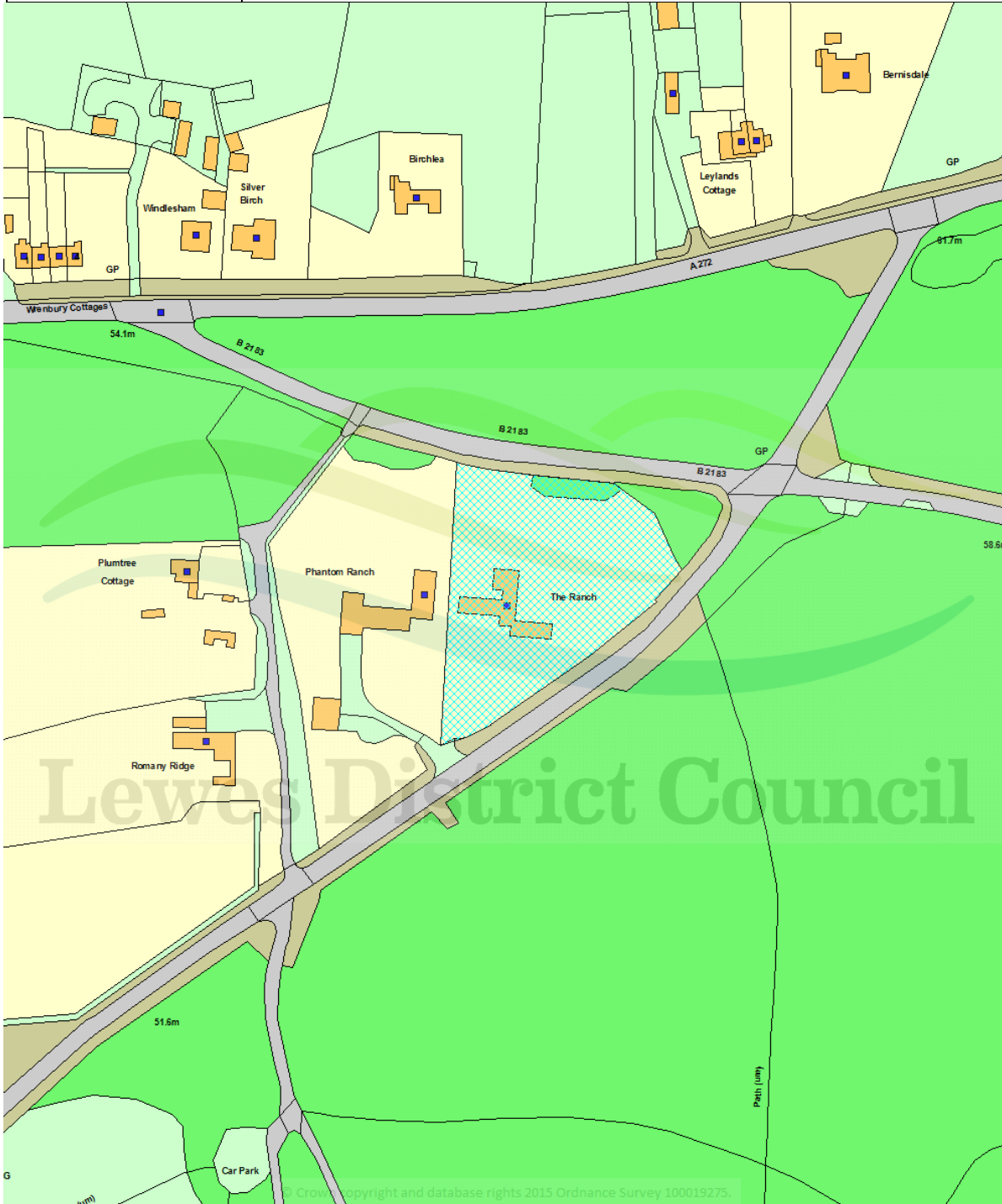


APPLICATION NUMBER:	LW/16/1006	ITEM NUMBER:	9
APPLICANTS NAME(S):	Mr S Scotland	PARISH / WARD:	Chailey / Chailey & Wivelsfield
PROPOSAL:	Planning Application for Part section 73A retrospective application for the erection of a 2m high close boarded fence painted moss green		
SITE ADDRESS:	The Ranch North Common Road North Chailey East Sussex BN8 4EB		
GRID REF:	TQ37 20		



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site is occupied by a detached dwelling on a triangular shaped plot bounded to the north by Beggars Wood Road, leading up to the A272 Haywards Heath Road, and to the south by North Common Road, to the south of which lies Common Land. Both the Common Land and the areas of landscape to the northern side of Beggars Wood Road are designated as Sites of Special Scientific Interest (SSSI) and Local Natural Reserves. The application site has an area of some 2230 square metres (0.22 hectares).

1.2 The application site lies on the western outskirts of North Chailey and is outside of the defined planning boundary.

1.3 The buildings on the site are not Listed and are not situated in a conservation area.

PROPOSAL

1.4 The application seeks planning permission for the erection of a timber close-boarded fence at a height of 2m along the northern boundary of the site with the edge of Beggars Wood Road. The applicant states that the fencing is required to reduce road noise.

1.5 Following the refusal of the previous planning application, ref. LW/16/0012, the applicant has sought to mitigate the visual impact of the fence by painting it a green colour and by planting natural looking shrubs and hedges in front of it.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/16/0012 - Erect a 2m high close boarded timber fence in front of the North boundary hedge - **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Main Town Or Parish Council – Objection

4.2 When the applicant applied for permission to erect a fence (application LW/16/0012 refers) Councillors objected to the application. Their reasons for so doing were that the fence would be out of character, obtrusive, too high and not in keeping. They also believed that it would be going on Common land. The original application was refused

by Lewes District Council for broadly the same reasons. The fence was erected in any event. Councillors considered that the present application, which is essentially to allow the fence to remain, paint it green and screen it using planting, does not meet their original concerns. The painting and planting may help to alleviate concerns over obtrusiveness, but these proposed moves do nothing to address Councillors' original concerns over the character and height of the fence, both of which detract from the sensitive nature of the area and the Commons which are immediately adjacent to The Ranch. Finally, Councillors' concerns over the possible siting of the fence on common land did not appear to have been addressed.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 A representation has been received from Phantom Ranch, North Chailey, in support of the application, no specific reasons given.

6. PLANNING CONSIDERATIONS

6.1 The key considerations in the determination of the application are the visual impact of the proposed fence and the impact on residential amenity.

Visual impact

6.2 The environs of Beggars Wood Road are rural, with both sides being edged by trees and planting. There are no man-made means of enclosure such as walls or fences, which are readily visible. Both sides of the road have a natural appearance.

6.3 The proposal to erect a close-boarded timber fence along this stretch of the road would stand out as an alien and incongruous feature, more related to a suburban residential environment as opposed to this rural location in which the positive characteristics include its natural and sylvan appearance on the edge of Chailey Common (but not on Common land) with softer planting along property boundaries as opposed to solid walls and fences.

6.4 For these reasons the proposals would be detrimental to visual amenity. These views are echoed by the Chailey Parish Council, which raises an objection to the proposal.

6.5 The previous application, LW/16/0012 was refused planning permission and the fence that was proposed would have been on the edge of the property boundary. Following this decision the applicant sought to explore their permitted development rights by building a fence that is set back from the highway, believing that planning permission would not be required. The fence has been erected. However, the local authority has taken the view that the fence is still adjacent to the highway and as such requires planning permission.

6.6 Concerns have been raised that the current fence is harmful as per the reason for the refusal of the previous planning application. However, the applicant has sought to mitigate the visual impact of the fence by painting it a green colour and by planting shrubs and hedges in front of it, in order to soften its appearance and screen it from view using natural planting, similar to the appearance of the vegetated road verges in this rural location.

6.7 On balance these mitigation measures, together with the fence being set back approximately 1 metre from the road edge, are considered to be acceptable although it must be stressed that the preferred siting for the fence would in fact be behind the tree line along the back edge of the applicant's garden.

Residential amenity

6.8 There are no immediate neighbours that would be affected by the proposed fence by way of loss of light or an overbearing impact as the fence would be sited along the boundary of the application site with the road. The applicant states that the fence is required to reduce noise levels coming from the nearby A272 (Haywards Heath Road).

7. RECOMMENDATION

On balance the application is recommended for approval.

The application is subject to the following conditions:

1. Within a period of 28 days from the date of this decision, details of a landscaping and planting scheme on the land between the fence hereby permitted and the public highway (namely Beggars Wood Road) to include the species, planting density and height at the time of planting, shall be submitted to and approved in writing by the local planning authority.

Reason: To create an acceptable standard of development in the interests of visual amenity and preserving the rural character of the locality, having regard to retained policy ST3 and Core Policies 10 and 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. The approved landscaping scheme shall be implemented within 3 calendar months from the date on which the details are approved, and the planting shall be maintained at a height of no less than 1.8 metres above ground level, unless otherwise agreed in writing by the local planning authority, for the full duration that the fence hereby permitted remains in situ.

Reason: To create an acceptable standard of development in the interests of visual amenity and preserving the rural character of the locality, having regard to retained policy ST3 and Core Policies 10 and 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Block Plan	1 December 2016	A1
Design & Access Statement	1 December 2016	
Photographs	13 December 2016	EXISTING ELEVATION
Location Plan	13 December 2016	1:2500