

Report Item No: 9

APPLICATION No:	EPF/0421/12
SITE ADDRESS:	19 Dukes Avenue Theydon Bois Epping Essex CM16 7HG
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr James Trayler
DESCRIPTION OF PROPOSAL:	Retrospective application for the erection of fence.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535555

CONDITIONS

NONE

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The site contains a semi-detached dwelling towards the front. The plots in the area are characterised by very long garden areas which rise steeply from the dwellings to the back boundaries. The fence, the subject of this application, is in position along the southern boundary of the site, adjacent to No17 Dukes Avenue.

Description of Proposal:

The proposal is to retain the fence. The structure is close boarded and “spot” measurements indicate that it is to a height of 2.1m above the adjacent ground level. The fence is made up of conventional panels, supported by concrete posts with a concrete panel toe board.

Relevant History:

No Relevant History.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment.
DBE1 – New Buildings.
DBE2 – Effect on Neighbouring Properties.

DBE9 – Loss of Amenity.

SUMMARY OF REPRESENTATIONS:

2 neighbours Consulted – 1 reply Received.

17 DUKES AVENUE: Objection. The fence by reason of its height, design and materials is incongruous, dominant and obtrusive resulting in a loss of amenity. Due to the slope in the land the fence appears even more overbearing and dominant, particularly from our patio area. A reduction in height, no matter how small, would be of benefit. Little work seems to have been done to prevent land slip. We suggest that a compromise would be smaller panels with trellises above. The fence is out of keeping and the materials used are more suited to a London suburb than a village setting.

THEYDON BOIS PARISH COUNCIL: Objection. We note the neighbour's offer of a compromise and feel this should be pursued.

Issues and Considerations:

The main issues to consider relate to the design of the fence and amenity.

Design

Class A of Part 2 of the General Permitted Development Order allow means of enclosure at the rear of properties to a height of 2.0m above ground level. This fence measures 2.1m. There is an argument that this is not materially different and certainly the applicant's assertion that the intention was to erect a 2.0m fence is plausible. Nonetheless a planning application has been submitted for consideration. The fence is a fairly standard design and as a piece of workmanship has been constructed in a professional manner. The adjacent neighbour has stated that the fence appears incongruous in a village setting. This is not accepted however and indeed permitted development does not distinguish between rural and suburban. The proposed fence is a fairly typical means of enclosure evident within this village in this rear garden setting where it does not impact on the street scene and from a design perspective raises no concerns.

Amenity

Objections have been raised that the fence would appear overbearing from the adjacent property. As stated there is a "fallback" position of 2.0m which is a material consideration. It is not considered that the additional 10cm results in a material loss of amenity to the adjacent neighbours. The fence is well softened on this side by vegetation, particularly closer to the house, and does not appear excessively overbearing. It is therefore the case that there is no serious loss of amenity. The offer of a compromise is not deemed necessary in this instance.

Conclusion:

The proposed fence is considered a marginal increase over what can be constructed as permitted development and is acceptable in both design and amenity terms. It is therefore recommended that the application is approved.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Dominic Duffin

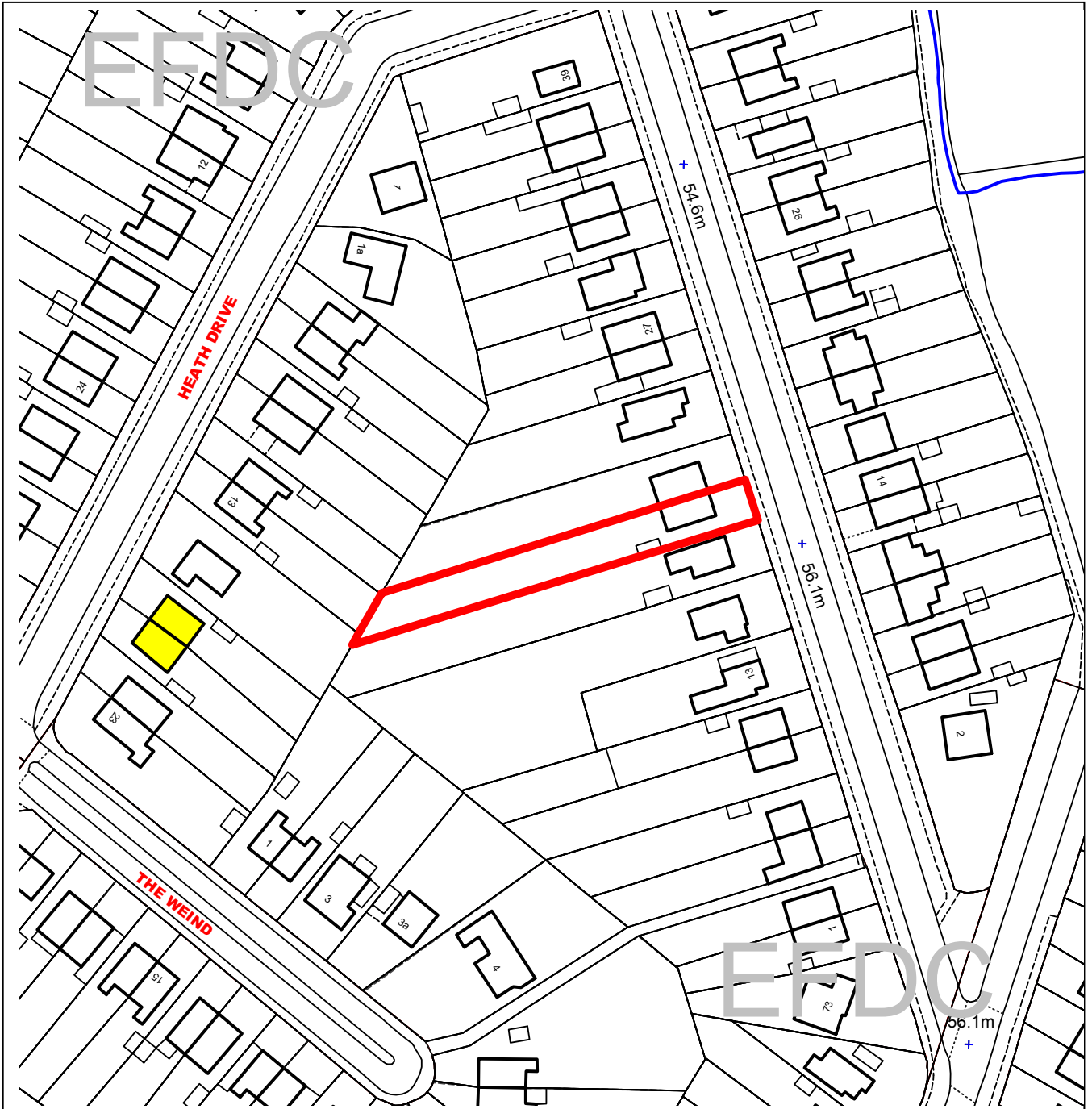
Direct Line Telephone Number: 01992 56433

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	
Application Number:	EPF/0421/12
Site Name:	19 Dukes Avenue, Theydon Bois CM16 7HG
Scale of Plot:	1/1250