

Application No: 17/00492/FULL Full Application

Site: Half Day House, South Sway Lane, Sway, Lymington, SO41 6BL

Proposal: Retention of 1.95 metre high fencing

Applicant: Mr M Taylor

Case Officer: Ann Braid

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement
Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend refusal. The fence is too high and falls foul of both the national rules and Sway Village Design guidelines.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

RELEVANT HISTORY

10.

10.1 Retention of access alterations and entrance gates (98863) granted on 28 October 2013

10.2 Detached garage (98551) granted on 4 July 2013

11. ASSESSMENT

11.1 Half Day House is a semi-detached red-brick house, which is traditional in character and is situated on the corner of South Sway Lane and Arnewood Bridge Road. The principal elevation of the house faces South Sway Lane from which the house has its vehicular access. The majority of the roadside boundary is enclosed by hedgerow. The side and rear boundaries are both adjoined by residential properties and Jubilee Field recreation ground lies directly opposite the site on the other side of Arnewood Bridge Road.

11.2 Part of the evergreen hedge that formed the boundary with South Sway Lane has been removed and has been replaced with a 1.95m high close boarded fence. The section of fence extends for 8.73 metres; 7.21 metres at full height and it then slopes down to 1.3 metres high at the access. The fence is located adjacent to the highway verge.

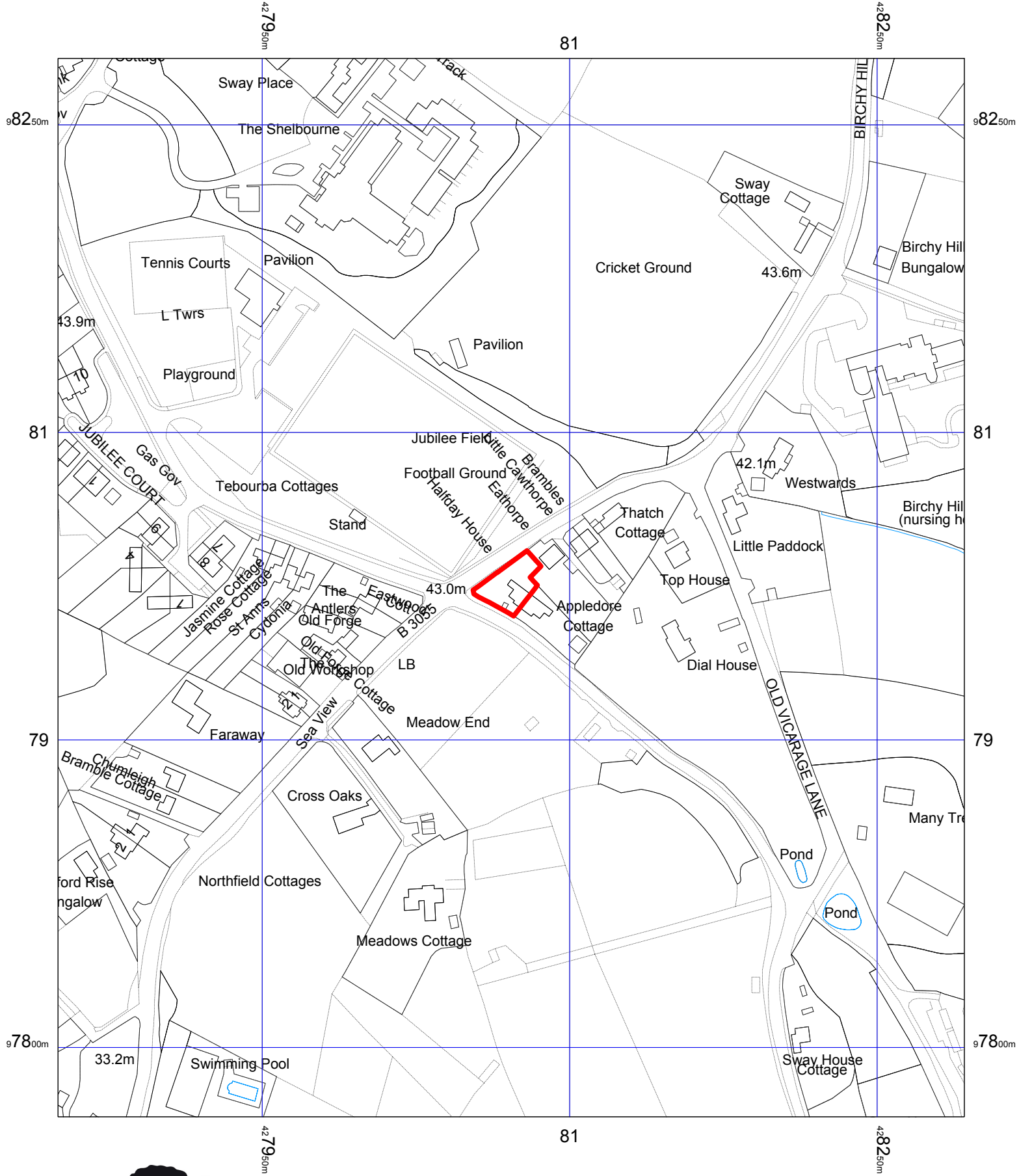
11.3 The fence exceeds the tolerances of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017 because it is more than 1 metre high, and is located adjacent to the highway. Planning permission is therefore required, and although the fence exceeds the tolerances of permitted development this does not necessarily mean that it is unacceptable. It is necessary to assess the context of the proposed development.

11.4 In this case, the fence does not mask the principal elevation or materially affect the setting of the property when viewed from the road. The original boundary hedge died back where it ran alongside the garage wall, and has been removed. No consent is required for the removal of a domestic boundary hedgerow. The fence runs parallel with the side wall of the garage which was granted permission in 2013, and only the eaves and roof of the garage show above the fence line. Although the fence undoubtedly presents a hard boundary to the road, the side wall of the garage would be exposed if the fence were removed, and this would also be a hard surface, which would have arguably a greater visual impact.

- 11.5 The fall-back position of a lower fence is a material consideration in this case. If the fence were to be cut down to one metre in height it would constitute permitted development and could therefore be retained at that height without planning permission. It is considered that the visual impact of a one metre fence with the garage wall behind would not be materially different to the situation on site now. It is not possible to enforce the replacement of the hedge. The Parish Council has raised objection to the fence, and cites advice in the Sway Village Design Statement (VDS). This document expands upon adopted Policy and has been adopted by the National Park Authority. The advice in the VDS is also a material consideration in this case. The statement encourages the use of picket fencing or low walls under 1 metre combined with native hedge planting, and in general this approach would be encouraged by Officers. In this specific case, however, there is little space to establish a hedge between the garage wall and the fence line. As explained above, it is considered that a lower fence would not result in a material improvement to the overall appearance of the site, and a picket fence or similar could look unduly domestic and suburban in this rural context.
- 11.6 For these reasons, it is recommended that in this case, the higher fence is acceptable and that consent should be granted for its retention.

12. RECOMMENDATION

Approval Without Conditions



New Forest National Park Authority
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