

Application No: 23/00419FULL Full Application
Site: 34 Rhinefield Close, Brockenhurst SO42 7SU
Proposal: Relocation and replacement of side boundary fence
Applicant: Mr & Mrs Edwards
Case Officer: Carly Cochrane
Parish: BROCKENHURST PARISH COUNCIL

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Principal Development Plan Policies

DP2 General development principles
 DP18 Design principles
 SP17 Local distinctiveness

NPPF

Sec 12 - Achieving well-designed places
 Sec 15 - Conserving and enhancing the natural environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal. Concur with the points raised by Friends of Brockenhurst in their objection. The land was designated as an open space or as a landscaping feature when originally developed. It is considered that ownership does not give the right to enclosure. We have concerns over the visual impact of this application; that it would be overbearing on the street scene. As boundary line matters are not planning issues, we would request clarification of this aspect.

5. CONSULTEES

None required.

6. REPRESENTATIONS

Nine letters of representation have been submitted in objection to the proposal, summarised as follows:

- Visually reducing the width of the alleyway will make it feel like a tunnel, no longer like a country path, less open, less welcoming and less secure to lone walkers, particularly at night.
- Adverse impact upon the visual and public amenity of the area, with a urbanisation of the pathway.
- Concern with regard to loss of plant life.
- Covenant relating to hedge species, property frontages, and extensions, and the path to Wilverley Road should be kept clear and open to emergency vehicles.
- Concern that the relocation of the fence would inhibit access and width of the alleyway would be reduced, particularly affecting those with young children and those requiring mobility aids.

Friends of Brockenhurst raise an objection to the application, and have made the following comments (summarised):

- Ownership does not give the right to enclosure- the land was designated as open space or a landscaping feature when it was originally developed, and nothing has changed.
- High close boarded fencing is against National Park guidelines.
- The proposal would make the path less attractive.

7. RELEVANT HISTORY

Single storey side extension; extension to front porch, greenhouse; new vehicle and pedestrian entrance gates; fencing; new brick wall (19/00015) granted on 27 February 2019

Single storey extension (15/00174) granted on 27 April 2015

Fourteen houses each with a double garage (NFDC/75/02611) granted on 16 June 1975

8. ASSESSMENT

Application Site

- 8.1 The application site is located to the southern side of Rhinefield Road and comprises a detached property with detached outbuilding within the front driveway area. The western site boundary adjoins an unadopted footpath which connects Rhinefield Road with Wilverley Road, and there is a metal five-bar gate and pedestrian gate across the footpath (not within the ownership of the application site) which aligns with the rear boundary of the property. The property is currently enclosed by a 2.3 metre high close boarded fence and trellis which aligns with the rear elevation of the outbuilding, with the outbuilding forming part of the means of enclosure, however, the property boundary is approximately

between 1.9 metres and 1.2 metres (north to south) west of the existing means of enclosure, along the concrete edge of the tarmac path.

Proposed Development

- 8.2 This application seeks permission for the erection of a 2.3 metre high close boarded fence and trellis as per that existing, however, located between 1.2 metres and 650mm (north to south) west of the existing fenceline. The southernmost section measuring approximately 2.8 metres would be unchanged in order to maintain the existing access arrangements with the gates.

Consideration

- 8.3 Concern has been raised by the Parish Council, local residents and Friends of Brockenhurst in relation to the perceived 'narrowing' of the footpath, with concerns that it could hinder access and result in a tunnelling effect, to the detriment of the visual amenity of the area.
- 8.4 For clarity, the tarmac footpath has a width of approximately 3.2 metres; this would not change. There would remain a planted 'buffer' of circa 500mm which is within the ownership of the applicant, between the concrete edge of the tarmac footpath and the proposed fenceline. This would mirror the arrangement at number 32 Rhinefield Road, with its eastern boundary fence (also close boarded fence with trellis) set back circa 500mm from the respective concrete edge of the tarmac footpath and which also features planting within this 'buffer'. The distance between the fence at number 32 and the proposed fence at number 34 would be circa 4.2 metres. The footpath itself would not be reduced in width, and, as the southernmost 2.8 metres of the existing fence would not be altered, there would remain sufficient space for users of the gates and footpath. Whilst it is reasonable to suggest that frequent users of the footpath would notice a change in the total width of the opening, the proposed development is not considered to result in a narrowing or tunnelling effect which would alter the character of the footpath or result in any detrimental visual amenity impact; indeed, the footpath is wider than most typical pedestrian footpaths found throughout Brockenhurst.
- 8.5 The Authority's Design Guide Supplementary Planning Document (SPD) identifies that close boarded fences can appear oppressive, although the Design Guide also acknowledges that fences are more appropriate within the larger village settings. The site is located within the defined village, and within a relatively densely developed residential area. The use of high close boarded fencing is not uncommon as it provides a level of privacy which cannot be achieved through most other means of enclosure, or any means of enclosure of a lower height. Given the close proximity of dwellings and, in this instance, the fact that the entirety of the western boundary is parallel with a public footpath, it is not unreasonable for the applicant to require privacy and security. It is therefore not considered that the erection of a 2.3 metre high boundary treatment would appear incongruous in this context.

Conclusion

- 8.6 It is therefore recommended that permission be granted, as the proposal is in accordance with Policies DP2, DP18 and SP17 of the adopted Local Plan (August 2019).

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

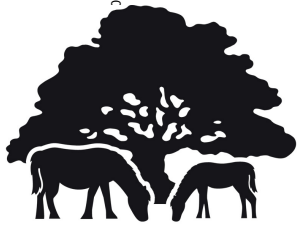
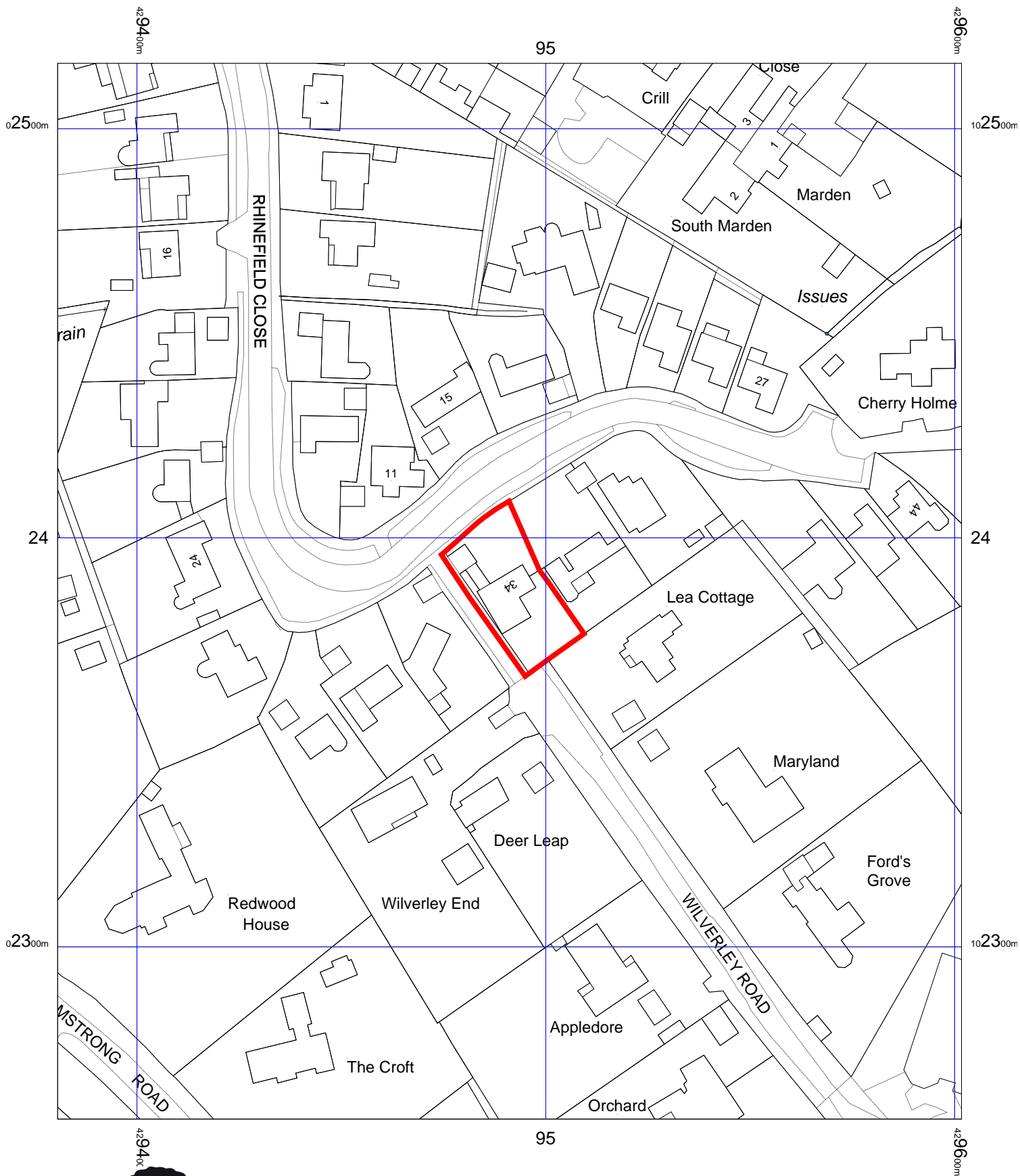
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Development shall only be carried out in accordance with drawing no: PL/01

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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