

Application No: 21/01895/FULH

Author: Charlie Parry

Date valid: 23 August 2021

☎: 0191 643 6304

Target decision date: 18 October 2021

Ward: Camperdown

Application type: Householder Full application

Location: 13 Falkirk, Killingworth, NEWCASTLE UPON TYNE, NE12 6QA

Proposal: Erection of fence along the eastern boundary of the property with gated vehicular access to the garage at rear and pedestrian access to the front elevation

Applicant: Mrs Claire Dobinson Booth, 13 Falkirk Killingworth NEWCASTLE UPON TYNE NE12 6QA

RECOMMENDATION: To indicate that the Committee is minded to grant the application subject to the expiry of the consultation period.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for consideration are:

- (i) Impact on Residential Amenity
- (ii) Impact on Character and Appearance

2.0 Description of the Site

2.1 The site to which the application relates is a linked detached property located on Falkirk in Killingworth. The property is south facing, although as the host dwelling is a corner plot the eastern elevation is also adjacent to Falkirk. Neighbouring property No. 11 Falkirk is situated to the west of the main dwelling and is linked via a single storey flat roofed part of the dwelling. To the rear of the host dwelling is a large paved area with a double, flat-roof garage adjacent to the shared boundary with No. 15 Falkirk and No. 11 Falkirk.

2.2 Due to the property being a corner plot views can be obtained from the public realm to the south and east of the main dwelling. The property does not benefit from boundary treatment along these elevations meaning that all aspects can be viewed from the public realm.

3.0 Description of the Proposed Development

3.1 The proposal relates to the erection of a fence along the eastern boundary of the property. The proposed fence would be approximately 1.83m in height at the point where it connects to the adjacent fence, at No. 15 Falkirk. This height will

be maintained for approximately 10.1m along the eastern boundary before reducing to approximately 1.22m in height for a further 6.7m.

3.2 Approximately 1m behind the front elevation of the main dwelling there will be a pedestrian access gate linking the main dwelling to the proposed fence. Additionally, the applicant proposes a gated vehicular access to the garage at the rear of the main dwelling. This would be situated where the fence connects to the existing fence at No. 15 Falkirk.

4.0 Relevant Planning History

None relevant

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (July 2021)

6.2 National Planning Practice Guidance (As Amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

Main Issues

The main issues for Members to consider are:

- (i) Impact on Residential Amenity
- (ii) Impact on Character and Appearance of the Area

7.0 Impact on Residential Amenity

7.1 The National Planning Policy Framework (NPPF) states that planning decisions should create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users. It states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

7.2 Policy S1.4 'General Development Principles' of the North Tyneside Local Plan (2017) states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development. In accordance with the nature of development those proposals should (amongst other criteria):

b. Be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

7.3 Policy DM6.1 'Design of Development' states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate (amongst other criteria):

b. A positive relationship to neighbouring buildings and spaces; and
f. A good standard of amenity for existing and future residents and users of buildings and spaces.

7.4 Policy DM6.2 'Extending Existing Buildings' states that extensions should complement the form and character of the original building. This should be achieved either by continuation of the established design form, or through appropriate contrasting, high quality design. The scale, height and mass of an extension and its position should emphasise a subservience to the main building. This will involve a lower roof and eaves height, significantly smaller footprint, span and length of elevations.

7.5 When assessing applications for extending buildings the Council will consider (amongst other criteria):

c. Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy;
d. The cumulative impact if the building has been previously extended;
e. The effect that the extension will have on the existing property and whether it enhances the overall design; and
f. The form, scale and layout of existing built structures near the site.

7.6 The height of the proposed fence would be a maximum of 1.83m with there being a smaller element of 1.22m. As previously mentioned, there is no existing boundary treatment meaning that the south, east and north elevations of the main dwelling can be viewed from the public realm. It is not unusual for a residential dwelling to have their rear garden area enclosed by a fence of this height in order to provide private amenity space for occupants. This is evident and property No. 15 Falkirk whose rear garden is adjacent to the rear outdoor amenity space of the host dwelling.

7.7 As the proposed fence is adjacent to a highway it would not be close to a neighbouring property. Therefore, it is not considered that the proposed development would adversely impact the residential amenity of the neighbouring properties in terms of loss of light, outlook or privacy. In addition the installation of the fence would mean that rear of the main dwelling including the outdoor amenity space would not be visible from the publicly accessible areas of Falkirk. It is therefore considered that the proposed fence would benefit the residential amenity of the occupants of the host dwelling as they would have increased privacy.

7.8 The proposed development is therefore considered to be in accordance with Policy S1.4, DM6.1 and DM6.2 of the North Tyneside Local Plan (2017). There would not be an adverse impact on the residential amenity of the occupants of

the neighbouring properties or of the host dwelling in terms of loss of light, outlook or privacy.

7.9 Members must determine whether the proposed fence is acceptable in terms of its impact on the living conditions of the occupiers of neighbouring dwellings and the host dwelling. Officer advice is that the proposed fence is acceptable in this regard.

8.0 Impact on the Character and Appearance of Site and Immediate Area

8.1 Policy S1.4 'General Development Principles' states that proposals should have regard to and address any identified impacts of a proposal upon the Borough's heritage assets, built and natural environment.

8.2 Policy DM6.1 'Design of Development' states that Applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate:

- a. A design responsive to landscape features, topography, wildlife habitats, site orientation and existing buildings, incorporating where appropriate the provision of public art;
- b. A positive relationship to neighbouring buildings and spaces;
- c. A safe environment that reduces opportunities for crime and antisocial behaviour;
- d. A coherent, legible and appropriately managed public realm that encourages accessibility by walking, cycling and public transport;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces

8.3 Policy DM6.2 'Extending Existing Buildings' states that extensions should complement the form and character of the original building. This should be achieved either by continuation of the established design form, or through appropriate contrasting, high quality design. The scale, height and mass of an extension and its position should emphasise a subservience to the main building. This will involve a lower roof and eaves height, significantly smaller footprint, span and length of elevations.

When assessing applications for extending buildings the Council will consider:

- a. Whether or not the property is affected by any designations or considered to be a heritage asset or within the setting of a heritage asset;
- b. The location of the extension in relation to the street scene;
- c. Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy;
- d. The cumulative impact if the building has been previously extended;
- e. The effect that the extension will have on the existing property and whether it enhances the overall design; and
- f. The form, scale and layout of existing built structures near the site.

8.4 LDD11 'Design Quality' applies to all planning applications that involve building works. It states, 'Boundaries are particularly important to the front of properties and should be clearly defined, using appropriate boundary markers, such as gates and gateways, hedges, fences and walls. As a general rule, low walls and/or metal railings are more appropriate in urban areas along higher-level streets, while soft planting, hedging and picket fencing is more appropriate in lower density areas which have a more rural character'. It further states that 'Care should be taken to limit the need for long sections of new walls or high close boarded fences, especially where these bound public areas'.

8.5 In terms of the immediate area there are several examples of fencing on residential properties. This is evident at No. 15 Falkirk. The proposed development would be a continuation of this in terms of its design and visual appearance. Therefore, the proposed fence is considered to be in keeping with the character and appearance of the immediate area.

8.6 The host dwelling is currently characterised by having no existing treatment on the south and east boundaries. Therefore, views from the highway to south of the main dwelling to the highways to the east (and vice versa) are not hampered. The applicant has ensured that part of the proposed fence is lower in height as it gets closer to the corner of the plot. As a result, views around the corner are maintained which is considered to be an example of good design.

8.7 On balance, it is not considered that the proposed development would significantly detract from the character and appearance of the main dwelling or the immediate area to such an extent that would sustain recommendation for refusal. The proposed development is therefore considered to be in accordance with Policy S1.4, DM6.1 and DM6.2 of the North Tyneside Local Plan (2017).

8.8 Members must determine whether the proposed fence is acceptable in terms of its impact on the character and appearance of application site. It is officer advice is that the proposed fence is acceptable in this regard.

9.0 Other Issues

9.1 The Highways Network Manager has advised that the site and vehicle access have been established for several decades and the type of fence and gates proposed are not uncommon in comparable locations and approval is recommended.

10.0 Local Financial Considerations

10.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received or will or could receive in payment of the Community Infrastructure Levy. It is not considered that the proposal results in any local financial considerations.

11.0 Conclusion

11.1 The proposed fence is considered to be acceptable in terms of its impact on neighbouring amenity and the character and appearance of the site. With regard to all of the above, approval is recommended.

RECOMMENDATION:

The Committee is recommended to:

- a) indicate it is minded to approve the application subject to:
 - i) the receipt of any additional comments received following expiry of the consultation period on 23rd September, and
 - ii) the conditions set out below and the addition or omission of any other considered necessary, and
- b) authorise the Director of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application Form, Uploaded 24.08.2021
- Site Layout, Scale 1:200, Uploaded 24.08.2021
- Side Elevation, Scale 1:50, 24.08.2021
- Location Plan, Scale 1:1250, 24.08.2021

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.



Application reference: 21/01895/FULH

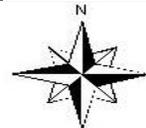
Location: 13 Falkirk, Killingworth, NEWCASTLE UPON TYNE, NE12 6QA

Proposal: Erection of fence along the eastern boundary of the property with gated vehicular access to the garage at rear and pedestrian access to the front elevation

Not to scale

Date: 15.09.2021

© Crown Copyright and database right
2011. Ordnance Survey Licence
Number 0100016801



**Appendix 1 – 21/01895/FULH
Item 5**

Consultations/representations

1.0 Internal Consultees

2.0 Highways Network Manager

2.1 This application is for the erection of a fence along the eastern boundary of the property with a gated vehicular access to the garage at the rear and pedestrian access to the front elevation. The site and vehicle access have been established for several decades and the type of fence & gates proposed are not uncommon in comparable locations. Approval is recommended.

Recommendation – Approval

Informatives:

I10 - No Doors/Gates to Project Over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlp

3.0 External Consultees

None received.

4.0 Representations

None received.