

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 14/01606/FULL6

Ward:
Hayes And Coney Hall

Address : 70 West Common Road Hayes Bromley
BR2 7BY

OS Grid Ref: E: 540399 N: 165813

Applicant : Mr Tony Yendall

Objections : YES

Description of Development:

Front boundary fence and gate
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

The application is for retrospective planning permission for a fence and gates along the full front boundary of 70 West Common Road, Hayes. The fence is a maximum of 1.7m high and extends a length of 4.9m along the eastern front boundary from the southern boundary. There are two proposed gates; one for car access and one for pedestrian access which extend for the remainder of the front boundary to the northern boundary. The car access gates extend for 5.2m in length and the design of the gates means they are a maximum of 1.7m with a minimum of 1.23m in the middle of the two gates. The pedestrian gate has a length of 1.25m with a maximum height of 1.7m. The fence and gates have been constructed of timber.

Location

The application site is a two storey detached property on the western side of West Common Road. The property is separated from the junction with Warren Road by one property to the north. Opposite the application site lies Hayes Secondary School with the vehicular entrance to the school lying directly opposite Warren Road.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- construction and quality of the fence and gate are very good but are out of keeping with the neighbouring properties in the road
- unsightly and not in keeping with the surroundings
- visual impact is considerable
- sits uncomfortably with neighbouring properties
- out of proportion to rest of property
- significant and detrimental impact on ability of neighbouring property to see oncoming cars and pedestrians whilst reversing out from drive
- concerns over road safety
- sight restrictions to car drivers and students from Hayes School
- no pavement along this part of the road and if other properties erect fences/gates these will cause hazard for pedestrians
- visually intrusive
- impact on street scene
- fence and gates only along front boundary leaving sides unprotected is strange
- traffic along West Common Road travels faster than it should and the fence and gates will prevent pedestrians being able to step into the drive until it is safe to proceed
- detrimental impact on character of the area and ambience of the road
- no issues with application as security is key factor. Neighbouring property has their drive regularly used as a turning circle/car park causing damage to vehicle.

Any further comments received will be reported verbally at the meeting.

Comments from Consultees

The Council's Highways Engineer has commented as follows:

'West Common Road is a busy thoroughfare for vehicles and there are already concerns about speed of road traffic. I noticed that the gates and fencing have further restricted the sight for drivers waiting to turn onto West Common Road, students from Hayes school crossing at the junction of Warren Road and West Common Road and also pedestrians walking on the road. Moreover when reversing the car from number 68, the gate and its post obscures visibility for the driver. Consequently, I would recommend refusal of the application as, if permitted, it would be contrary to policy T18 of the UDP 2006.'

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development

BE7 Railings, Boundary walls and other means of enclosure
T18 Road Safety

The London Plan and National Planning Policy Framework are also key considerations in determination of this application.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Planning History

Planning permission ref. 09/00428 was granted on Appeal for a Two storey side and single storey rear extension and detached double garage at rear, with a subsequent non-material amendment application (ref. 09/01724) approved for the removal of window from north elevation of garage.

Planning permission was granted under ref. 09/01724 for a part one/two storey side/rear extension.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties, and also the impact on road safety.

The application is for retrospective planning permission for a fence and gates along the front boundary of 70 West Common Road. Due to the nature of this part of the road there is no pavement, and as such the driveway of the host dwelling and neighbouring properties lead straight onto the road. The fence and gates have been erected along the front boundary of the property and mark the line from driveway to road. The fence and gates are a maximum of 1.7m with a minimum of 1.23m in the middle of the two vehicular gates and have been constructed of timber. The existing side boundaries to the site consist of soft landscaping; trees and shrubs, and as such the fence and gates appear to 'stand alone'. Having visited the site, it can be seen that there is no evidence of any similar front boundary enclosures to any of the surrounding properties. Furthermore, most properties benefit from front driveways which lead straight onto the road with some soft landscaping surrounding.

It is acknowledged that the construction of the timber fence and gates appear to be of high quality and given the location of the property close to the school there may be issues with regards to security of vehicles parked on the drive. However, Member's may consider that the location and extent of the fence and gates is out of character with the area and detrimental to the openness that currently exists along this road, and furthermore, if permitted would set a precedent for similar development along the road.

Additionally, given the location of the property close to the junction with Warren Road and the entrance to Hayes School, the fence and gates give rise to issues of

road safety. Concerns have been received from the Council's Highways Engineers that the fence and gates have further restricted the sight for drivers waiting to turn onto West Common Road, students from Hayes school crossing at the junction of Warren Road and West Common Road, and also pedestrians walking on the road. Furthermore, concerns have also been raised by both the Highways Engineer and from the neighbouring property at no. 68 with regards to the gates and fence obscuring the visibility for a driver reversing out of the driveway at this property. Accordingly, Member's may consider that the fence and gates due to their height and location would cause a detrimental impact to road safety.

The fence and gates have already been constructed and as such the application is for retrospective permission. Accordingly, should Member's be minded to refuse the application, they may consider it appropriate to authorise enforcement action in respect of the removal of the fence and gates.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/01606, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The fence and gates, by reason of their height and location, is prejudicial to the free flow of traffic and conditions of general road safety, thereby contrary to Policy of T18 of the Council's Unitary Development Plan.
- 2 The fence and gates, by reason of their scale and location, are detrimental to the visual amenities of the street scene and erode the open nature of the area, and if permitted would be likely to set a pattern for similar undesirable development in the road, thereby contrary to Policies BE1 and BE7 of the Council's Unitary Development Plan.

Further recommendation - enforcement action be authorised to secure the removal of the front boundary fence and gates.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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