

<b>2.6 REFERENCE NO - 15/504681/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of rear garden fence.		
<b>ADDRESS</b> 13 Preston Park Faversham Kent ME13 8LH		
<b>RECOMMENDATION – GRANT subject to conditions</b>		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Applicant is a Borough Councillor		
<b>WARD</b> Watling	<b>PARISH/TOWN COUNCIL</b> Faversham	<b>APPLICANT</b> Mr Nigel Kay <b>AGENT</b> FDA Chartered Architects
<b>DECISION DUE DATE</b> 12/08/15	<b>PUBLICITY EXPIRY DATE</b> 23/07/15	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>		
<b>App No</b>	<b>Proposal</b>	
SW/96/0189	Single storey rear extension to dwelling – APPROVED	
SW/02/0795	Replacement of shed - APPROVED	
SW/11/0700	Replacement rear garden boundary wall – APPROVED – 22.07.11	

**1.0 DESCRIPTION OF SITE**

1.01 No. 13 Preston Park is a modern detached property, situated in the built up area of Faversham. The rear garden is enclosed by an attractive brick wall which runs along the rear of the properties of Preston Park, which border the public footpath, giving pedestrian access between Preston Park and Canterbury Road. The house is set above the level of the footpath and the rear of the house is visible over the wall due to the levels involved.

**2.0 PROPOSAL**

2.01 This application proposes the erection of a 2.134m high fence to be erected directly behind the rear garden wall, 15m in length, consisting of 6 fence panels. The fence panels would be supported by oak posts set in a concrete base, with gravel boards to each fence panel. Members may wish to note that a 2m high fence could be erected as Permitted Development.

2.02 Planning permission was granted in 2011 for a replacement brick garden wall measuring 2.775m in height. Due to the trees and vegetation along the pedestrian access way, this scheme has not been implemented.

2.03 The proposed fence would measure 0.641m lower than that of the replacement wall permitted under reference SW/11/0700, and would also retain the existing wall which will continue the uniform nature of the wall.

- 2.04 The applicant has confirmed that following removal of tall conifer trees along this boundary his privacy in his rear garden is compromised by users of the footpath. The approved higher wall is not now practical or economic due to extensive tree roots in the area and that the fence is the proposed alternative means of regaining his privacy.

### **3.0 PLANNING CONSTRAINTS**

- 3.01 None

### **4.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
 National Planning Practice Guidance (NPPG)  
 Swale Borough Local Plan 2008: Policy E1 (General Criteria); Policy E19 (Design)

### **5.0 LOCAL REPRESENTATIONS**

- 5.01 No representations have been received.

### **6.0 CONSULTATIONS**

- 6.01 Faversham Town Council has no objection to this application.

### **7.0 BACKGROUND PAPERS AND PLANS**

- 7.01 Application papers and drawings relating to planning reference 15/504681/FULL

### **8.0 APPRAISAL**

#### **Principle of Development**

- 8.01 The principle of this development is to provide privacy for the occupiers of No. 13 Preston Park to the rear garden, and to minimise the impact of overlooking from the pedestrian link from Preston Park to Canterbury Road.

#### **Visual Impact**

- 8.02 Due to the nature of this development, the fence will have little visual impact on the area as it will be erected behind the existing wall and there are mature trees between the wall and the footpath.

#### **Residential Amenity**

- 8.03 By reason of the location of the proposed fence, this will not have an adverse impact on residential or neighbouring amenity.

8.04 I am therefore of the opinion that the proposal will have no unacceptable adverse impact upon residential or visual amenity, if approved.

## **9.0 CONCLUSION**

9.01 In view of the above, I recommend that the application be approved

## **10.0 RECOMMENDATION – GRANT**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### **Council’s approach to the application**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.