

TWC/2016/1125
51 Wellington Road, Coalbrookdale, Telford, Shropshire, TF8 7DU
Erection of a 1.83m high fence (Retrospective)

APPLICANT
William Thomas

RECEIVED
07/12/2016

PARISH
The Gorge

WARD
Ironbridge Gorge

OFFICER Tom Carruthers

CLLR NICOLA LOWERY HAS REQUESTED THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE

OBJECTIONS: Yes

1. THE PROPOSAL

- 1.1 This is a retrospective householder application for the erection of a 1.83m high fence.
- 1.2 The fence is along the whole of the rear boundary of the property (8m in length) and along part of the side boundary (24m in length). The fence on the side elevation is adjacent to the steps which lead up to the Holy Trinity Church
- 1.3 The fence panels are feather edged wooden panels and are 1.53m in height and are on top of concrete gravel boards which are 0.3m in height. The fence posts are also concrete and are 2m in height. Due to the sloping nature of the footpath and steps, the fence panels are staggered.
- 1.4 The height of the fence does not exceed 2m in height and is not adjacent to a highway used by vehicular traffic and therefore would not usually require a planning application. However, the site is within the Severn Gorge World Heritage Site and Severn Gorge Conservation Area and is covered by an Article 4 direction and therefore, any boundary treatment that fronts a highway, waterway or open space automatically requires planning permission.

2. SITE AND SURROUNDINGS

- 2.1 The application site is in Coalbrookdale which is in the South of Telford. The site is within the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site.
- 2.2 The property is a semi-detached two storey dwelling. The property itself is not listed. There is a public footpath and steps which run up the side of the property which leads to The Holy Trinity Church which is a Listed Building. On the other side of the footpath there is a terrace of three properties (52-54 Wellington Road) which are also Listed Buildings. The property has two

large areas of open space to the rear of it (one immediately adjoining the application site and one on the other side of the footpath).

- 2.3 The property is a semi-detached property situated within the centre of a very long plot. The property and fence are visible from several public vantage points, Church Road which is to the rear, the footpath and steps to the side of the property and the two areas of open space to the rear.

3. PLANNING HISTORY

- 3.1 TWC/2016/0605 Felling of 27no. Leylandii trees Trees in Conservation Area
Granted 23/08/2016

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Wrekin Local Plan (Saved Policies):
UD2 Design Criteria
HE3 New Development in Conservation Areas
SG1 World Heritage Site
- 4.3 Core Strategy:
CS14 Cultural, Historic & Built Environment
CS15 Urban Design
- 4.4 Telford and Wrekin Local Plan 2011-2031 (Publication Version)
BE1 Design Criteria
BE3 Ironbridge Gorge World Heritage Site
BE5 Conservation Areas

5. CONSULTATION RESPONSES

- 5.1 The Gorge Parish Council: Object

This fence is rather massive and intimidating along what is otherwise a pretty route. It is too high for soft planting to obscure. A thorny hedge along railings would be a preferable screening/security measure, better suited to the nature of the area while providing the fencing that the applicants desire. Allowing this fence to remain would set a precedent in the World Heritage Site whereby anyone desiring privacy or security from footpaths and any other open land could erect 2 metre high wooden fences with the subsequent destruction of views and historic setting of the area. There are more sensitive treatments.

5.2 Built Heritage Conservation: Object

Wooden close board panel fences are not a traditional form of boundary treatment within the World Heritage Site, where, hedges, soft planting, walls and railings are the prevailing character. This is consistent with advice given elsewhere within the WHS. The fact this is retrospective is not a material consideration. The fact that the fence is fronting an historic footpath to the church makes it highly visible and this is unlikely to be sufficiently obscured by painting the fence or adding soft planting. There appears to be insufficient to allow mature growth/permanent screening in the space in front of the fence. In advice given elsewhere we have suggested a simple post and rail to support permanent hedge, the fence to rot out in due course when the hedging is mature.

5.3 Cllr Nicola Lowery: Comment

The Leylandii that was previously in place had become diseased and was subsequently removed by the owners. Ideally whilst transplanting a hedge would have been the preferred solution as the existing form of boundary treatment on Wellington Road predominantly consists of soft landscaping there are examples of this form of fencing in the local area on Wellington Road.

In regards to the boundary treatment I appreciate a new hedge will take time to establish and the owners are seeking more privacy with this being alongside a public footpath. I understand the Leylandii in previous years has overgrown into the public footpath and the new treatment whilst harsher in appearance seeks to improve this area.

Form the submitted proposal the applicant has advised they are happy to add landscaping external to the fence to soften the boundary as well as staining the fence a forest green colour. Whilst soft landscaping would certainly assist I do feel the planting should be selective to ensure highest coverage to lessen the harshness of the wood panelling.

The applicant appears to have used a high quality wood and ensured a high standard of work to ensure the fencing looks acceptable externally. Subject to adding a condition to the application to ensure the fencing is stained a more appropriate colour and associated planting of a certain height takes place external to the fence boundary on the south and east side I do feel this application would be broadly acceptable, as it would soften the appearance and harshness from Church Road.

5.4 Shropshire Council: No comment

5.5 Shropshire Fire: No comment

5.6 Neighbourhood Consultation

3 letters of representation have been received. The points raised are:

- Mr Thomas always kept the Leylandii hedge in good order but as it was dying the removal of this large hedge has, been made in good faith and the fencing a sensible replacement ensuring privacy.
- Access up the steps is clearer now, where it used to become overgrown.
- A spiky hedge would not be 'child friendly'.
- The fence is not intrusive.
- The full planning requirement does not seem to have been made clear to the applicants by the authority originally.
- The new fencing is neat and good quality and the new wood will no doubt whether to fit in with surrounding features over time.
- The old iron railings have of course been retained and remain fully visible.
- As you look up Wellington Road and around other areas of The Gorge you can see a mixture of many different types, heights and colours of railings, bricks and wooden fences used to secure property boundaries so there is no standard look or type.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations, including comments received during the consultation process, the planning application raises the following main issues.

- The principle of development
- Scale and design
- Impact on residential amenity
- Other Matters

The principle of development

6.2 Policy SG1 of the Wrekin Local Plan seeks to protect the international value of the Severn Gorge area as a World Heritage Site. Policy HE3 of the Local Plan specifically relates to development in Conservation areas and seeks design that respects and relates positively to its context in terms of scale, form, massing and materials. Policy CS14 of the Core Strategy protects the Borough's historic and built environment which includes conserving and enhancing the cultural and heritage assets of the Ironbridge Gorge World Heritage Site.

6.3 Policy UD2 of the Wrekin Local Plan provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. Policy

CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

- 6.4 Policy BE1 of the emerging Local Plan is a combination of the existing Local Plan and Core Strategy design policies noted above. Equally it asks that development responds positively to its context and enhances the quality of the local built and natural environment. Policy BE3 relates specifically to the World Heritage Site and confirms that the Council will protect and enhance the Outstanding Universal Value of the area. The Council will not support proposals in or adjacent to the World Heritage Site that adversely affect its setting. Policy BE5 relates to Conservation Areas and advises that development will not be supported where it would prejudice the essential features of the conservation area, where the design of any new buildings, including height, density, mass, layout, proportions, or materials would not respect the character or appearance of an area or where the development would not do justice to the setting and surroundings of a conservation area.
- 6.5 The National Planning Policy Framework (NPPF) indicates in para.56 that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Para.58 among other items, suggests that planning decisions should aim to ensure developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Furthermore, para.64 suggests that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.6 In particular reference to the historic environment, para. 126 states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In determining applications, para.128 requires applicants to describe the significance of affected heritage assets and in para.129 for the local planning authority (LPA) to identify and assess the significance of the asset that may be affected in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Furthermore, para.132 asks LPA's to take account of the importance of the asset and that the more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to a World Heritage Site, should be wholly exceptional.

- 6.7 The Ironbridge Gorge was established as one of the UK's first World Heritage Sites by UNESCO in 1986 in recognition of its role as the birthplace of the industrial revolution and its unique landscape. In addition to this status the area is also designated a conservation area (Severn Gorge Conservation Area). There is an Article 4(2) Direction restricting permitted development rights across the whole site to preserve the visual quality of the streetscape.
- 6.8 The applicants submitted a trees in conservation area application to remove a Leylandii hedge (our reference TWC/2016/0605). As part of this application, the applicants stated their intention to erect a wooden fence. The applicants were advised that this could not be dealt with under the same application, so the fence was logged as a separate planning enquiry. The application for the removal of the hedge was approved on 23rd August 2016 as it was considered not worthy of a Tree Preservation Order.
- 6.9 A letter responding to the enquiry for the fence was sent out on 20th July 2016. In the letter it was stated that Planning permission was required as the fence would be located within the Ironbridge World Heritage Site, where the Article 4(2) Direction applies. Fencing within the Ironbridge World Heritage Site is usually resisted by the Local Planning Authority due to its harsh appearance and that the rear of the property is largely visible from Church Road and the open space to the rear of the property the local planning authority would be unlikely to support your proposal.' Unfortunately, the applicants have confirmed that they did not receive this letter, so went ahead and erected the fence, without checking with the Local Planning Authority.
- 6.10 The height of the fence does not exceed 2m in height and is not adjacent to a highway used by vehicular traffic and therefore would not usually require a planning application. However, the site is within the Severn Gorge World Heritage Site and therefore it is covered by an Article 4 direction and therefore, any boundary treatment that fronts a highway, waterway or open space automatically requires planning permission.

Scale and design

- 6.11 The fence is constructed of feather edged wooden panels and are 1.53m in height and are on top of concrete gravel boards which are 0.3m in height. The fence posts are also concrete and are 2m in height. Due to the sloping nature of the footpath and steps, the fence panels are staggered.
- 6.12 The materials used are not of a traditional form and are considered unacceptable within the World Heritage Site. A more traditional form of boundary treatment would be either brick wall or traditional railings. During the officer's site visit of 9th February 2016 which was also attended by Cllr

Lowery, these alternatives were suggested to the applicants but they prefer to have the fence.

- 6.13 Currently, the wrong side of the fence is adjacent to the public footpath. The applicant suggested that these could be turned around, however officers consider that even if this happens, the materials used would still be unacceptable.
- 6.14 During the visit painting of both the posts and panels to a more suitable colour was discussed. However again it is considered that this would still leave us with unacceptable materials within this prominent location within the World Heritage Site albeit of a slightly more acceptable colour.
- 6.15 The applicant was willing to insert some planting on the outside of the fence to help soften the appearance of the fence. The gap between the fence and the iron railings is not big enough for any substantial planting, so the applicant suggested planting a Clematis but officers do not consider this to be acceptable screen planting.

Impact on surrounding area

- 6.16 The fence is adjacent to a footpath which leads up to a listed church and is opposite a group of listed buildings. Comments have been made that the removal of the hedge and erection of the fence has opened up this walkway and has brought more light into adjacent residential properties. Whilst officers do not doubt that the fence has improved the amount of light into adjacent properties and has made the walkway wider and safer to walk through, it is considered that the appearance of the proposed fence does cause harm due to its harsh appearance.
- 6.17 Whilst the fence cannot be seen from Wellington Road, the rear part of the fence is visible from Church Road. However the fence can clearly be seen from the historic public footpath and steps that runs up the side of the property and is unduly prominent.
- 6.18 It is considered that due to the proximity to the Listed Buildings, the fence does detract from the setting of these buildings, particularly the church to the rear.
- 6.19 Unfortunately, due to the position of the fence and the type of materials used, it is considered that no amendments can be made to the current fence in its current position that will make it acceptable.

7. CONCLUSIONS

- 7.1 The development is considered to be harmful to the special character and appearance of the Ironbridge Gorge World Heritage Site, Severn Gorge Conservation Area and the setting of the adjacent Listed Buildings and is an inappropriate form of boundary treatment within this location. The development fails to accord with the policies outlined above including national planning policy guidance and should not be supported. The replacement of a dying hedge and the improvement to light to surrounding properties are not reasons alone to allow this development where a more appropriate treatment could be used.

8. RECOMMENDATION

- 8.1 Based on the conclusions above, it is recommended that the committee **REFUSE PLANNING PERMISSION** for the following:
1. The Local Planning Authority considers that the boundary treatment is unacceptable as it has a detrimental impact upon the street scene and the character of the surrounding area by reasons of its design, use of materials and location which has a visually intrusive impact. As a result, the development causes harm to the settings of adjacent Listed Buildings and the designated Ironbridge World Heritage Site and Severn Gorge Conservation Area, as this proposal fails to respect this setting, nor does it preserve or enhance the special character and appearance of the designated heritage assets. Furthermore, the harm caused to these designated heritage assets has not been justified within the application. Accordingly the proposal is contrary to Policies CS14 and CS15 of the Core Strategy, Saved Policies UD2, HE3 and SG1 of the Wrekin Local Plan, emerging policies BE1, BE3, BE5 of the Telford and Wrekin Local Plan (Publication Version) and guidance contained within the National Planning Policy Framework.