

UTT/2440/11/FUL – (SAFFRON WALDEN)
(call in request by Councillor Asker)

PROPOSAL: Retrospective application for the erection of front boundary wall

LOCATION: 72 Little Walden Road

APPLICANT: Mr E Rooney

AGENT: John Ready Architects

GRID REFERENCE: TL

EXPIRY DATE: 1 February 2011

CASE OFFICER: Mrs S Heath

1.0 NOTATION

1.1 Within development limits.

2.0 DESCRIPTION OF SITE

2.1 The application site comprises a detached dwelling on the east side of Little Walden Road, adjacent to the entrance to Lambert Cross. The site is elevated from the road with the land rising from west to east. The dwelling itself is situated on broadly level ground with a horseshoe shaped driveway with two entry/access points. To the frontage of the site is a red brick wall 1.5m high between 2.1m high brick piers with cast stone copings and black cast iron railings set between the piers. The wall extends across the full frontage of the site and is 28m long. The land immediately in front of the wall is highway land.

3.0 PROPOSAL

3.1 To gain retrospective planning permission for the wall. It is also proposed to place some low level planting on the bank outside the boundary and some taller shrubs inside the boundary behind the wall. In addition it is proposed to curve the ends of the wall back into the site to link with the top of the entrance retaining walls.

4.0 APPLICANTS CASE

4.1 Until December 2010, the property boundary was defined by a low rendered wall with brick piers and engineered brick capping, behind which was a row of fast growing leylandii of some 6m in height. Their rapid growth and root development was blocking light from the property and causing the wall and its shallow foundations to over-turn. For these reasons a replacement wall was erected in May/June 2011 under the belief that it was permitted development as defined by the Town & Country Planning (General Permitted Development) Order 1995 Schedule 2 Part 2 Minor Operations Class A. However after investigation by the Council's Enforcement Team the wall was deemed not to be permitted development as it is over 1m in height and adjacent to a highway. Following correspondence with the Enforcement Team and the Planning Advice Team the applicant decided to make a planning application incorporating some revisions in order to regularise the development.

The agent has also submitted several photographs of a number of 1.8 to 2.0m high brick walls for which approval has been granted in the estate developments local to the application site and along Little Walden Road in order to show assessment of the site context and local precedent.

5.0 RELEVANT SITE HISTORY

5.1 None.

6.0 POLICIES

6.1 Essex County Council Policies 2011

- Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

6.2 Uttlesford District Local Plan 2005

- Policy H8
- Policy GEN2
- Policy GEN1

7.0 PARISH/TOWN COUNCIL COMMENTS

7.1 No objections. Expired 13.01.12.

8.0 CONSULTATIONS expired 06.01.12.

Essex County Council Highways

8.1 The Highway Authority has no objections to this proposal as the boundary wall is sited clear of the publicly maintainable highway and it is therefore not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Local Plan Policy GEN1.

9.0 REPRESENTATIONS expired 06.01.12.

9.1 Owner/Occupier 75 Little Walden Road – generally unhappy with the replacement of a row of mature trees with what we feel is an unattractive brick wall directly opposite our house. The loss of the trees has exposed 72 Little Walden Road together with a bright security light that shines through our upstairs front window often very late into the night. In our view perhaps the high point of the wall should be lowered or a row of trees planted between the wall and the road to obscure the brickwork.

9.2 Owner/Occupier 74 Little Walden Road – the wall does not in any way affect us or our view from our property and we can only see it when leaving our property via the public highway . The wall replaced leylandii trees that were approx 40 ft in height and were unmanageable as well as pushing down the wall in front of them. Cannot see why other residents in Little Walden Road eg those opposite would be able to object as the wall is screened from those properties by a hedge that is at least 15-20ft high and those properties are off a service road and have front gardens so are well set back.

10.0 APPRAISAL

The issues to consider in the determination of the application are:

- Design (ULP Policies H8 and GEN2)
- Neighbour's amenity (ULP Policies H8 and GEN2)
- Highway considerations (ULP Policy GEN1 and Essex County Council Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011)

10.1 Design

With regard to design and appearance, the key consideration is to ensure that new development is satisfactory in relation to the character the appearance of the existing property and the wider locality.

It is considered that this proposal, with its maximum height of 2.1m and set on elevated land, by reason of its height and length would result in an unduly intrusive built form that would undermine the presently general open aspect along this part of the road. Although the wall is set back and would be clear of the highway verge it is still considered that tall front boundary walls such as this proposal are not a feature of properties in this street, which have mainly open front gardens or hedge or front fence boundary enclosures.

Although examples of other walls in the vicinity have been submitted supporting this application these are not considered to be in the same context as the proposal, they are mainly within a residential estate and are not on raised land.

It is considered that the harshness of this 2.1m high wall would be excessively intrusive into the wider street scene.

Neighbour's amenity

This wall would have no impact upon the amenities of adjoining occupiers or opposite occupiers.

Highways

With regard to Highway matters, the applicant has clarified with ECC Highways that the wall has been built on the correct boundary alignment and so the verge between the wall and the surfaced highway is owned by the County Council. Therefore the new planting indicated on the plans could not be planted without the Highway Authority's permission nor can this proposed planting be enforced. The Highway Authority has raised no objection to the wall.

7.0 CONCLUSION

The following is a summary of the main reasons for the recommendation:

RECOMMENDATION – REFUSAL REASONS

The wall, by reason of its height and prominent position has resulted in an excessively visually intrusive development in the street scene. The wall in this location appears unacceptably dominant at this point in the street giving rise to an unacceptable loss of spaciousness to the detriment of visual amenity and contrary to Uttlesford Local Plan Policy GEN2.



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