



**PLANNING COMMITTEE:** 15 January 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/1169**                      **Change of use of land to domestic garden  
and erection of perimeter fence/wall 2.06m  
high at 54 Thorn Hill**

**WARD:**                              **Delapre and Briar Hill**

**APPLICANT:**                      **Ann Hawker**  
**AGENT:**                              **Daniel Morriss**

**REFERRED BY:**                      **Scheme of delegation**  
**REASON:**                              **Council own land**

**DEPARTURE:**                      **No**

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 The proposed change of use and associated boundary treatment would due to its siting, scale and design not have an undue detrimental impact on the character and appearance of the area or on highway safety and complies with Policy E20 of the Northampton local Plan and aims of the NPPF.

**2. THE PROPOSAL**

2.1 Permission is sought to change the use of an open area of grass / verge land adjacent to 54 Thorn Hill into private garden space and to enclose it a new boundary wall / fence. The boundary treatment is proposed to be a red / brown brick wall (675mm high) with piers (2.06m high and 440mm wide) and close boarded fence panels between the piers and above the wall. The wall / fence would be set back some 1.5m from the back of the adjacent footway.

**3. SITE DESCRIPTION**

3.1 The application site is located in a Primarily Residential Area as identified in the Northampton Local Plan and comprises a well maintained, flat area of grass measuring some 105m<sup>2</sup>. It is immediately adjacent to 54 Thorn Hill which is a 3 storey residential

property owned by the applicant. The site forms part of a residential estate of similar dwellings approved around 1968.

#### **4. PLANNING HISTORY**

4.1 None relevant.

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

##### **5.2 Northampton Borough Local Plan**

E20 – New Development.

##### **5.3 National Policy**

National Planning Policy Framework.

#### **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 No neighbour representations have been received.

#### **7. APPRAISAL**

##### ***Main issues***

7.1 The main considerations are the impact on the character and appearance of the area and whether the proposal would affect highway safety.

##### ***Impact on appearance and character of the area***

7.2 Due to its position at the bend of the road, the application site is relatively prominent in the streetscene. The land in question is relatively attractive albeit its contribution to the quality of the streetscene is limited by its size and plain appearance. Nonetheless, given the limited height, scale and alignment of the proposed wall / fence combined with the quality of the materials / design it is considered that the impact of the introduction of the boundary treatment and the enclosure of the land would not be overly significant visually that would justify refusal of planning permission.

7.3 The proposed materials can be controlled by condition in the event that Committee is minded to grant of planning permission in order to ensure a satisfactory external appearance of development. This would comply with Policy E20 of the Northampton Local Plan and paragraphs 56 and 57 of the NPPF which encourages good design in new development.

### ***Highway Safety***

- 7.4 Given that the proposed boundary wall/fencing is set back from the highway it is considered that the impact on visibility would be limited. Had the land been required for highway purposes (eg visibility around the bend) it would have been adopted as highway land as part of the estate highway adoption when the estate was developed.

## **8. CONCLUSION**

- 8.1 For the reasons cited the proposed development is considered to be acceptable and would comply with development plan and national planning policy and is therefore being recommended for approval subject to the conditions set out below.

## **9. CONDITIONS**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- (2) No development shall take place until full details of the external materials and finish of the boundary wall and fence hereby permitted have been submitted to and approved in writing by the local planning authority and shall be implemented in accordance with the approved details unless otherwise agreed in writing.  
Reason: In interests of visual amenity and to ensure a satisfactory external appearance of development to comply with Policy E20 of the Northampton Local Plan and aims of the NPPF.
- (3) The development hereby approved shall be carried out solely in accordance with Drawing numbers DM 0007 01 A and 02 received on 15 November 2012.  
Reason: For the avoidance of doubt to comply with the aims of the NPPF.

## **10. BACKGROUND PAPERS**

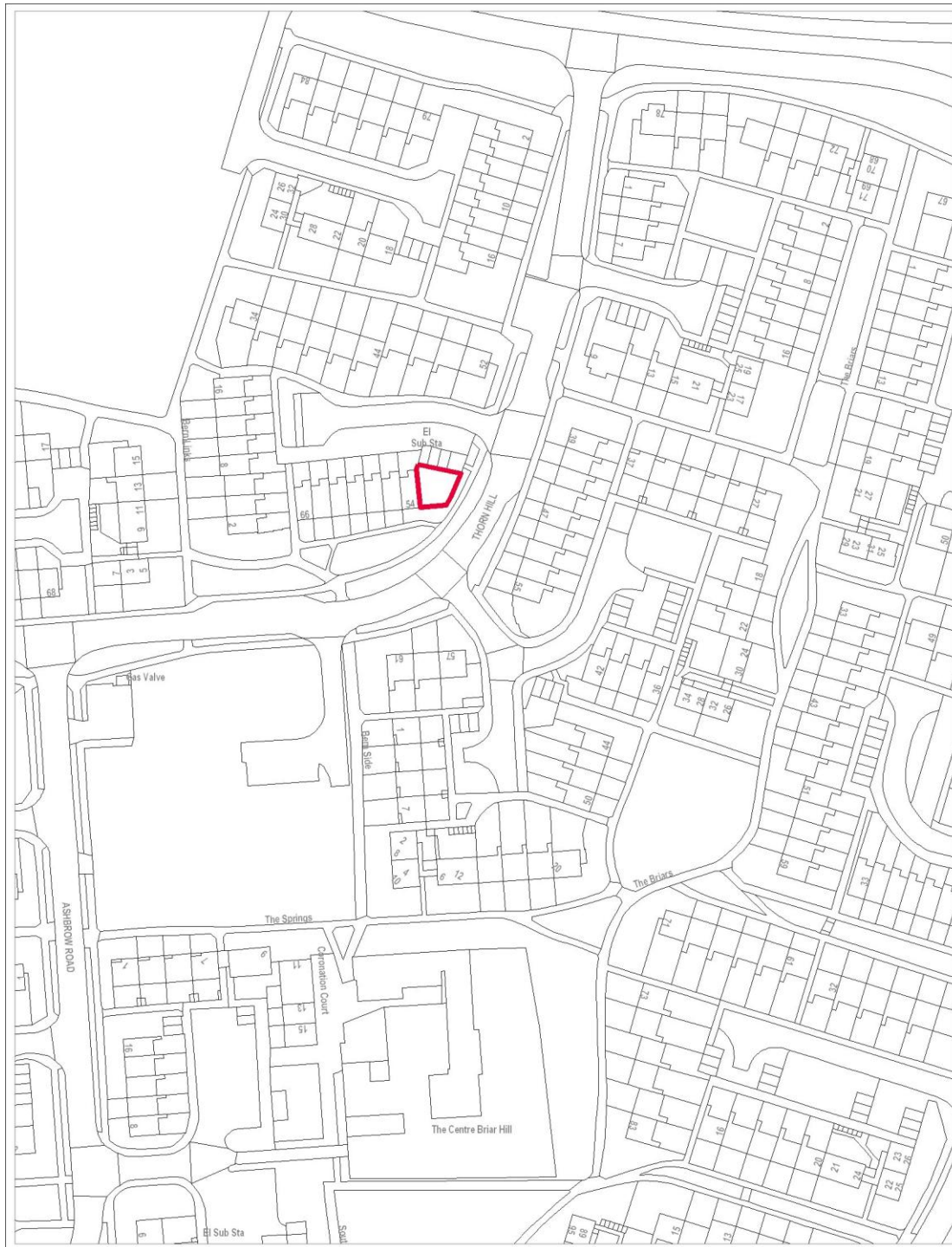
- 10.1 N/2012/1169.

## **11. LEGAL IMPLICATIONS**

None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



DRAWN: Becky Gittins  
 DATE: 3rd January 2013  
 SCALE: 1:1250  
 DATE: Planning  
 PROJECT: Location Plan

Title  
**54 Thorn Hill**

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