

Regulatory Services
Hart District Council
Civic Offices
Harlington Way
Fleet
GU51 4AE

Our ref: 10230

1 June 2021

Dear Sir or Madam

Planning Application (retrospective) for the erection of fencing and a canopy at Woodlark, Manor Farm, Woodhill Lane, Long Sutton, Hook, Hampshire, RG29 1SU

We are submitting this planning application on behalf of our clients Mr and Mrs Wiltshire following the receipt of a letter from the Enforcement Department ref: SYOC/21/00060/OPERT3. Our clients are looking to regularise the works completed.

Site and Surrounding

Woodlark is a link-detached house that is located within a development that was built out following the approval of planning permission 14/00186/FUL – Demolition of existing modern agricultural buildings and erection of four dwellings with associated parking and landscaping. The property is set back from Woodhill Lane in the south eastern corner of the Manor Farm site. To the north there are the other dwellings secured through the grant of planning permission 14/00186/FUL; Brambling, Greenfinch and Fieldfare. To the south and west are further residential properties these properties are known as, Manor Stables (locally listed) and The Manor House (Grade II*) and Manor Court. A 1.8m wooden fence runs along the rear boundary of The Manor House.

The landscaping details associated with this planning permission were secured through the discharge of condition application 15/02547/CON where plans EDENMFB/01 and 2152-S-W03 were approved. Woodlark is noted as Plot 4 on the approved plans.



The site is located towards the northern edge of the village of Long Sutton and is within the Long Sutton Conservation Area (Figure 1). There is an Article 4 Direction for the Conservation Area meaning a number of permitted development rights have been removed including the erection of gates, walls and fences.

There is a public right of way running along the northern boundary of the wider Manor Farm site.



Figure 1 – Conservation Area taken from Conservation Area Appraisal

Wooden close boarded fences are a feature of the Manor Farm development and neighbouring properties.

1. Adjacent to the public Right of Way and to the side and rear of Greenfinch:





2. Within the rear courtyards to the four properties at Manor Farm:



3. To the rear of the Grade II* Manor House – visible from the Manor Farm site and the footpath:



Planning History

The planning history for this site comprises of the grant of planning permission 14/00186/FUL – Demolition of existing modern agricultural buildings and erection of four dwellings with associated parking and landscaping. Condition 4 of this permission required the submission of both hard and soft landscaping plans for approval by the Local Planning Authority. Condition 17 of the permission then required the hard and soft landscaping works to be fully carried out in accordance with the approved details. Any trees or



plans which, within a period of five years after approved completion, are removed, shall be replaced as soon as is reasonably practicable with others of similar species.

The grant of the discharge of condition application ref: 15/02547/CON approved the hard and soft landscaping proposals for Condition 4.

In addition, there was an amendment approved by the grant of planning permission 14/00186/NMMA – Amendment to ridge heights on plots 1 and 4 pursuant to 14/00186/FUL – Demolition of existing modern agricultural buildings and erection of four dwellings with associated parking and landscaping.

Proposal

Planning permission for two separate elements is sought:

1. Erection of a 1.8m high wooden close boarded fence around the boundary of the plot for Woodlark.
2. Erection of a canopy to the side of the dwelling

These changes have been made and so are retrospective as the applicants were unaware of the planning conditions and the Article 4 Direction.



Figure 2 – Photograph taken from the sales particulars to show the planting which was undertaken and failed to establish

The approved planting was planted prior to the applicants purchasing the property but it did not establish (Figure 2). The applicants purchased the property and lived with the approved planting for some time trying to let it establish. However, the planting did not establish and provided them with no privacy. The applicants entire garden is bordered by the access road for Fieldfare and Fieldfare's car port. Consequently, when there is no established boundary to their garden views from the access road and parking area can be had to the entire garden and into their lounge. As a result, the planting was removed,



and replacement planting was undertaken with the 1.8m wooden fence erected around the boundary of the plot (Figure 3).



Figure 3 – Fencing around Woodlark

In addition to this, to provide the applicants with some shading from the sunshine and shelter from the rain a canopy was erected on the side elevation of the house to accommodate a seating area. The canopy as shown within Figure 4 is constructed of dark grey galvanised steel with UV protected polycarbonate roofing panels to include integral guttering.



Figure 4 – Canopy erected on the side elevation of Woodlark

We submit with this planning application two plans to show the changes that have been made:

- PO1revA – Location and Block Plan
- PO2revA – Plans and Elevations



This planning application is reliant on using the approved plans from 15/02547/CON and 14/00186/NMMA as the existing plans because, by virtue of the application being retrospective we have not been able to prepare existing site plans and elevation plans. So please accept the following plans as existing plans:

- EDENMFB/01 – soft landscaping from 15/02547/CON
- 2152-S-W03 – hard landscaping plan from 15/02547/CON
- 2152-PRO4c – Proposed layouts from 14/00186/NMMA

Planning Assessment

Since the determination of planning application 14/00186/FUL, 14/00186/NMMA and 15/02547/CON the development plan for Hart has been updated.

The current development plan of relevance for this planning application comprises of Hart Local Plan (Strategy and Sites) 2032 and Hart Local Plan (replacement) 1996-2006 saved policies – updated after the adoption of the 2032 plan.

The National Planning Policy Framework (NPPF) is a material consideration.

Within Policy SD1 (Sustainable Development) of the Local Plan it is said that the Council will take a positive approach to considering development proposals. This positive approach will reflect the presumption in favour of sustainable development contained within the NPPF. It goes on to state that the Council will work pro-actively with applicants to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Development Plan will be approved.

Planning Policy NBE2 (Landscape) looks to secure developments that respect the visual amenity of the landscape. Woodlark is located within a residential area but outside the settlement boundary and therefore within the Countryside. The house is set back from the road within a courtyard style development, Manor Farm. As set out on the Conservation Area Appraisals Map there are no important views directly into the Manor Farm site. As demonstrated above, there are a number of wooden close boarded fences within and around the edge of the Manor Farm site. As noted within paragraph 2.4 of the planning statement for 14/00186/FUL 'to the south east of the site is land associated with the Long Sutton Manor which is separated from the site by a 2 metre close boarded fence'. Thereby demonstrating that wooden close boarded fences have been a feature of the area for a number of years. As a result, this application is not looking to introduce a new type of boundary treatment to this area of the Conservation Area.



The direct public views of the fencing are achieved only by those visiting Woodlark and the adjacent houses within the Manor Farm site. There is a glimpsed view as you pass the site on Woodhill Lane. There is a long-distance view from the footpath. When walking the footpath, as demonstrated in the photos above, wooden close boarded fences are a feature of this section of the walk. The canopy is located behind the fence meaning only the top of the canopy is visible from the access road and adjacent parking area (Figure 5). It is not visible from the Lane or the public right of way. The landscape quality and character of the area are not compromised by the introduction of the boundary fence or canopy due to fences of this design, materials and height being an existing feature of the landscape. The requirements of Policy NBE2 are met.



Figure 5 – Photograph from adjacent to Woodlark's parking area of the fence and top of the canopy

NBE8 (Historic Environment) of the Local Plan needs to be considered due to the garden of Manor House adjoining the boundary of the Manor Farm site. As shown within the pictures above (3) and as identified within the planning statement accompanying planning permission 14/00186/FUL the Manor House has a wooden close boarded fence of around 1.8m demarcating the northern boundary of their grounds. If this is acceptable and does not affect the setting of the Grade II* Listed Building then the fence around the garden of Woodlark, set at a lower level, should also be considered to not affect the setting of the Listed Building. The requirements of Policy NBE8 are met.

Policy NBE9 (Design) of the Local Plan requires all development to seek to achieve a high-quality design and positively contribute to the overall appearance of the local area. When reviewing the information



that accompanied planning permission 14/00186/FUL and the resulting Committee Report there is little mention of the type of fencing around the site. Within the design and access statement proposed fencing was discussed with it being identified that there would be a combination of wooden close boarded fencing and wooden post and rail fencing. There were never any concerns raised by the Council about the use of wooden close boarded fencing and on plan EDENMFB/01 that was approved through the discharge of condition 4 15/02547/CON wooden close boarded fencing was given the OK on parts of the Manor Farm site. As set out above, the additional close boarded fencing is in keeping with the character of the area. The fencing is of a design that has been accepted in the immediate locality of the site. The design of this fencing should therefore be considered acceptable. The canopy is also of a high-quality design with the colour and materials being carefully selected to complement the appearance of the dwelling. The requirements of Policy NBE9 are met.

Saved policy GEN 1 (General Policy for Development) of the Hart Local Plan (replacement) recognises the importance of protecting the amenity of residents whilst also ensuring that development is in keeping with the local character by virtue of scale, design, height, materials. As previously discussed, the fencing is of the same materials (wood), height (1.8m), design (close boarded) as surrounding fencing. The fencing is required to protect the amenity of the residents of Woodlark. As set out above, their garden and lounge were previously fully visible from the access road and parking area for Fieldfare. Since the fencing has been erected around their garden the applicants have been able to enjoy their garden in privacy meaning they can relax and enjoy their time at home. The requirements of policy GEN1 are met.

Saved policy CON 8 (Trees, Woodland & Hedgerows: Amenity Value) of the Hart Local Plan (replacement) looks to protect established hedgerows that provide an ecological and landscape benefit. As previously discussed, the hedgerow planted around the boundary of Woodlark did not establish meaning it provided no ecological or landscape benefit. A replacement hedgerow has been planted on the inside of the fence to try to establish the ecological benefit.

To conclude, this letter sets out what has been erected on site and it provides an assessment of the impact of these changes. It is demonstrated that the fencing is in keeping with the character and appearance of the area through the presence of similar fencing on and around the Manor Farm site. The design is of a high-quality that is again in keeping with the design of surrounding fencing. The canopy is of a high-quality design that is of only limited visibility. Whilst the approved landscape planting has been removed, replacement planting was carried out to retain the ecological benefit of boundary planting. The changes to the appearance and character of the area needs to be balanced against the reasons why the canopy and fencing were installed. The changes were made to enable the occupiers of Woodlark to enjoy their



garden and lounge where it is appropriate for them to expect some privacy. Great weight should be afforded to this.

Section 70 of the Town and Country Planning Act 1990 and 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposal is in accordance with the development plan as demonstrated above. There are no material considerations that should affect the determination of this planning application. Consequently, planning permission should be granted.

If you have any questions following a review of the planning package, please do not hesitate to contact the writer of this letter in the first instance.

Yours faithfully

BELL CORNWELL LLP

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