

Contact: Valerie Bailey DDI No. 01494 421548
App No : 17/08264/FUL App Type: Full Application
Application for : Householder application for the removal of existing gates and replace with wood gates (retrospective)
At Icknield House, Askett Village Lane, Askett, Buckinghamshire, HP27 9LT
Date Received : 05/01/18 Applicant : Mr Mark White
02/03/18
Target date for Decision

1. **Summary**

- 1.1. Full planning permission is sought for the removal of the existing gates and replace with wooden gates (retrospective).
- 1.2. The application is recommended for refusal. This is due to the solid appearance of the gates together with their height in close proximity to the road. As a result the gates are considered to adversely impact on the immediate street scene and the Chilterns Area of Outstanding Natural Beauty in general. Thus they fail to comply with Local plan policies for the area and fail to comply with advice given in the Chilterns Building Design Guide

2. **The Application**

- 2.1. The new solid wooden gates are shown to be 1.9m high x 1.8m wide. In information supplied from the applicant they replaced wrought iron gates that were approximately 1.3m/1.45m high.
- 2.2. The applicant supplied photographs and addresses of other properties in Askett that have wooden gates of similar design, wooden gates that have some form of opening along their top edge, wooden picket gates or indeed wrought iron gates. The site histories of these back to 1998 have been researched and a copy of this is attached as Appendix A. It should be noted that from this the only property to have received planning permission for gates is Wyvern House on Aylesbury Road. Three of these sites Willow Cottage on Crowbrook Road with Coronation Cottage and Hook Cottage on Askett Village Lane both show the siting of gates on block plans for other on-site development but no details of their height etc.
- 2.3. From 16 October 2017 the emerging policies of the Wycombe District Local Plan (Regulation 19) Publication Version is also material. The weight to be given to individual policies will be assessed in accordance with paragraph 216 of the NPPF.

3. **Working with the applicant/agent**

- 3.1 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service,
 - as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
 - by adhering to the requirements of the Planning & Sustainability Customer Charter
- 3.2 In this instance the applicant/agent was updated of any issues after the initial site visit. The applicant was informed/ advised how the proposal did not accord with the

development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it. Several photographs were received of other properties in the village with high gates, wooden to otherwise, but these still did not overcome the fundamental objection.

- The application was referred to the Local Councillors prior to determination.
- The application was referred to and considered at planning committee

4. Relevant Planning History

- 4.1. WR/1404/64 – Extension to house. Permitted and built
- 4.2. WR/1111/72 – Demolition of garage and erection of double garage. Permitted
- 4.3. 12/06610/FUL - Householder application for demolition of existing outbuildings, construction of first floor side extension, new detached garage and associated external alterations. Permitted, extension built.

5. Issues and Policy considerations

Principle and Location of Development

Adopted Local Plan (ALP): GB2 (Development in the Green Belt), L1 (The Chilterns Area of Outstanding Natural Beauty), G3 (General Design Policy, G8 (Detailed Design Guidance and Local Amenity).

CSDPD: CS1 (Overarching principles - sustainable development), CS2 (Main principles for location of development), CS9 (Green Belt), CS17 (Environmental Assets), CS19 (Raising the Quality of Place-Shaping and Design).

DSA: DM1 (Presumption in favour of sustainable development)

Wycombe District Local Plan Regulation 19 Version October 2017: CP1 (Sustainable Development), CP3 (Settlement Hierarchy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM30 (Chilterns Area of Outstanding Natural Beauty), DM35 (Placemaking and Design Quality), DM42 (Managing Development in the Green Belt), DM43 (The Replacement or Extension of Dwellings in the Green Belt) (Including Outbuildings))

- 5.1. The site is in the Green Belt and the Chilterns Area of Outstanding Natural Beauty with its western side boundary forming the boundary line of Askett Conservation Area.
- 5.2. Where the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed 1 metre above ground level then planning permission is required. As such the development is then subject to policies contained in the Local Plans that cover that area in which they are erected.
- 5.3. Given para 5.2.above, whilst gates may be acceptable in principle it is the solid design of the gates together with their overall height that are the issue.

Impact upon the character and appearance of the street scene and surrounding area

Adopted Local Plan (ALP): GB2 (Development in the Green Belt), L1 (The Chilterns Area of Outstanding Natural Beauty) G3 (General Design Policy, G8 (Detailed Design Guidance and Local Amenity), H17 (Extensions and Other Development within Residential Curtilages)

Core Strategy Development Planning Document (CSDPD): CS9 (Green Belt), CS17 (Environmental Assets), CS19 (Raising the Quality of Place-Shaping and Design),

Wycombe District Local Plan Regulation 19 Version October 2017: DM30 (The Chilterns Area of Outstanding Natural Beauty), DM35 (Placemaking and Design Quality), DM42 (Managing Development in the Green Belt) and DM43 (The Replacement or Extension of Dwellings in the Green Belt (including outbuildings))

- 5.4. The character of Askett Village Lane from the roundabout to its junction with Letter Box Lane is one of a leafy green road with hedging along both sides. Residential properties are sited to the rear of the hedging on the north side of this road with only one property with its garden on the south side, Coronation Cottage. This dwelling has wooden gates but these would appear to be more than 5m from the highway. The position of a gate was shown on the site layout drawing when planning permission was given for the replacement dwelling in 2001 but there are no details of this gate. The dwelling closest to the roundabout on the other side of Askett Village Lane, Appletrees, has wooden gates but no history can be found for these. The general character of the area is of a rural village which reflects its setting within the Chilterns AONB.
- 5.5. The applicant has provided photographs of a variety of gates to properties within Askett. It is acknowledged that there are other properties in the village, many of which are in the Conservation Area, that have wooden gates, but no planning history can be found for these. Should these have been in situ more than 4 years, which is believed to be the case, then they are immune from enforcement action. However, should they be replaced, as with this current proposal, then they would have to apply for planning permission. Wyvern House Aylesbury Road is the sole property where planning permission can be found for gates. In this particular case they are wrought iron gates with an open design and the property is on the busy main road (A4010) and therefore considered not to be comparable to this proposal.
- 5.6. Having considered the photographs submitted by the application, many of these show different types of gates to those subject of this application. Several have an "open" design, allowing views through the gates, others are solid at the bottom but are open at the top, again allowing views through the gates. Therefore the examples provided by the applicant are not considered to set a precedent for allowing this application since the gates are either of a different, more visually permeable design and / or have been erected without the benefit of planning permission.
- 5.7. Hook Cottage, is the next property to the east along the lane on this side of the road. However, this is some 90m away and separated from the application property by mature high hedging with a field behind. Nevertheless, it should be noted that the wooden gates to this dwelling are partially open at the top and not completely solid as with this application.
- 5.8. Advice about boundary treatment can be found on pages 41 and 42 of the Chilterns Building Design Guide (2010) which is adopted as a supplementary planning document. Paragraph 3.93 states that "Entrance, and any other, gates, should be simple and visually permeable, either matching the boundary fencing or typical farm gates in the area, and timber should be used as it is more attractive than tubular steel. Ornate, high and solid gates and entrances incorporating security systems are out of place in the countryside." At paragraph 3.89 the checklist states that "Entrance gates should be simple and visibly permeable".
- 5.9. In this instance the 1.9 metre high wooden gates create a solid feature which is not visually permeable and are of an urban appearance which is not sympathetic to the rural character of the surrounding area. In this instance the gates clearly do not comply with the design guidance in the CBDG, which is a material consideration, and would have an adverse impact on the special rural character, appearance and enjoyment of the AONB.
- 5.10. The site is outside but adjacent to the conservation area. The Council's Conservation Officer considers the gate design to be urban in this rural location but advises that it would not harm the setting of the conservation area. Given that the development does not result in significant harm to the designated heritage asset, the conservation area, a refusal on conservation grounds could not be justified.

Impact on the local highway with regard to parking and access ADLP:

Policy T2 (on-site parking and servicing CSDPD: Policies CS20 (Transport and infrastructure)

- 5.11. Taking into account the comments from the County Highway Authority whereby they raised no objection the gates are therefore considered to be acceptable in highway safety terms.

Recommendation: Application Refused

- 1 In the opinion of the Local Planning Authority the gates, the subject of this retrospective planning application, by virtue of their solid appearance combined with their overall height and siting are out of keeping with the rural character and appearance of the surrounding area and the Chilterns AONB. They fail to comply with Policies L1 (The Chilterns Area of Outstanding Natural Beauty) and G3 (General Design Policy of the Adopted Wycombe District Local Plan to 2011 (as saved, extended and partially replaced); Policies CS17 (Environmental Assets) and CS19 (Raising the Quality of Place-Shaping and Design) of the Core Strategy DPD (Adopted July 2008); and Policies DM30 (The Chilterns Area of Outstanding Natural Beauty) and DM35 (Placemaking and Design Quality)(of the Wycombe District Local Plan Regulation 19 Publication Version October 2017.

INFORMATIVE

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