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<b>APPLICATION NO.</b>	<a href="#">P11/W0091</a>
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED</b>	11.02.2011
<b>PARISH</b>	GREAT MILTON
<b>WARD MEMBER(S)</b>	Mr John Nowell - Smith
<b>APPLICANT</b>	Mr Andrew Costar
<b>SITE</b>	Lantern Service Station London Road Milton Common (in the Parish of Great Milton)
<b>PROPOSAL</b>	Erection of 1.8m high green pallisade fence on frontage at gates. (As amended by applicant's email dated)
<b>AMENDMENTS</b>	
<b>GRID REFERENCE</b>	464578/203781
<b>OFFICER</b>	Mrs S Crawford

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## 1.0 INTRODUCTION

- 1.1 The application has been referred to the Committee because the recommendation conflicts with the views of the Tiddington and Great Milton Parish Councils. The site lies within the parish of Tiddington with the boundary to Great Milton Parish following the line of London Road. Tiddington and Great Milton Parish Councils have been consulted on this application.
- 1.2 The Lantern Garage site lies on the eastern edge of Milton Common. It is a triangular site, fronting onto London Road, with Old London Road at the rear. It is in commercial use but is relatively open. There is one building on the site, which is located towards the eastern side at the back of the site. It is a former service station and a motor repair workshop. There is a large area of hardstanding and an area of verge to the frontage. A number of cars and vans are parked on the verge and other open areas. The former double sided petrol pump on the forecourt has been removed. There have been recent improvements to the commercial building on the site and it has been recently occupied by a car sales company. The current use of the site has been the subject of an enforcement investigation and an enforcement notice has been served. An appeal against the enforcement notice has been submitted and is currently being considered. There are bungalows to the rear and two storey houses to the east. The site lies in the Oxford Green Belt.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

## 2.0 PROPOSAL

- 2.1 The application seeks planning permission for the erection of metal palisade fencing along the front boundary of the site with London Road. The fencing would be 1.8 metres high and would be green in colour. The applicant has also agreed to carry out planting along the frontage of the fencing.
- 2.2 The details of the application are available for inspection on the Council's website. Reduced copies of the plans accompanying the application are **attached** at Appendix 2.

### 3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Tiddington Parish Council Refuse. Not neighbourly, visually bad, will obstruct right of way. Too close to footpath.
- Great Milton Parish Council Refuse. Against Green Belt policy on openness. The design, materials and appearance are detrimental to the character of the area.
- Neighbour Object (1) Inappropriate, a fence of this height would be an eyesore and would fail to enhance the already abused landscape of this part of Milton Common. This is a Green Belt residential area.
- Crime Prevention Officer No observations to date

### 4.0 RELEVANT PLANNING HISTORY

#### 4.1 Lantern Service station

- P11/W0288/DA Appeal against enforcement notice in relation to the sale of motor vehicles on the site - CURRENT
- P10/W0318 New LPG fuel facility - REFUSED
- P09/W0310 New LPG fuel facility - WITHDRAWN
- P07/W0958 Erection of 4 dwellings - REFUSED
- P07/W0470/O 4 detached dwellings - REFUSED
- P06/W1285/O Demolition of service station and erection of 7 houses - REFUSED, APPEAL - Dismissed
- P03/N0248/O Demolition of building and erection of B1 office – APPROVED

#### 4.2 Other sites in Milton Common for gates and walls and fences

- 52 London Road - P08/W0788 – 1.8m brick wall and two sets of double gates - APPROVED

### 5.0 POLICY & GUIDANCE

#### 5.1 Adopted SOLP Policies

G2 – Protection of District's resources, G6 – Quality of design and local distinctiveness, GB4 Visual amenity, EP8 – Contaminated land, C4 – landscape setting of settlements, D1 – Principles of good design, E6 – Retention of employment sites, T1 - transport South Oxfordshire Design Guide

PPS1 – Delivering sustainable development

PPG2 – Green Belts

PPG13 – Transport

### 6.0 PLANNING CONSIDERATIONS

#### 6.1 The main issues in this case are;

- Green Belt issues,
- Neighbour impact,
- Safety issues, and
- Other relevant considerations

- 6.2 **Green Belt issues.** The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. Within Green Belts there is a general presumption against 'inappropriate development' (PPG2 Green Belts). PPG2 sets out a limited list of development that would be appropriate within Green Belts. Development not included on the list is 'inappropriate development' and is harmful to the Green Belt.

In this case, the new fencing is not a new building per se but seeks to improve security in an area where there has been significant car crime. It is likely that any commercial venture on the site would require some form of fencing for security reasons outside opening hours. As the fencing is not a new building, and given the fact that views are available through the fencing, it would not constitute inappropriate development in my view. Policy GB4 of the adopted Local Plan seeks to ensure that where development is allowed it will be sited in such a way to minimise the impact on the open nature, rural character and visual amenity of the Green Belt.

Whilst some forms of fencing can affect openness because they enclose land, block off views (to secure privacy) and provide screening from wind etc that is not the aim in this case; it is required to provide security only. As such open palisade fencing is proposed which would allow views into the site and have less of an impact on openness. In addition the applicant has agreed to the planting of a hedge along the frontage of the fencing to grow to height of not less than 1.5 metres. A hedge would help to soften the fencing in the long term and could significantly enhance the character of the area once established.

The security needs of the commercial business are recognised and supported and the applicant has agreed to the planting of a thorn hedge in front of the fencing to help assimilate the fence into its surroundings. In the circumstances, the provision of the fence and hedge would, in the long term, improve the visual amenity of the Green Belt (policy GB4) and the landscape setting of the settlement (Policy C4).

- 6.3 **Neighbour impact.** The fencing is over 20 metres away from the nearest neighbouring property and would have no impact on the amenity of the occupants of that property.
- 6.4 **Safety issues.** Objectors have concerns that the fencing will obstruct a right of way and is too close to the footpath. A pavement runs along the northern side of London Road Milton Common, however it terminates at 68 London Road and there is no pavement in front of Lantern Service Station. The proposed fencing is set back from the frontage of the site by at least 1 metre to allow for the planting of the hedge. As such there are no issues with the obstruction of a right of way or footpath.
- 6.5 **Other relevant considerations.** There are several other examples of palisade fencing in Milton Common along the road boundaries of the Highways depot and at the Lassco Architectural Salvage yard (**see Appendix 1**). The fencing for the highway depot in particular is over 500 metres in length (mostly set behind a thorn hedge). Whilst neither of these other sites is within the Green Belt the existing palisade fencing is part of the established character of Milton Common.

In addition there are a number of examples of high hedges, walls, fences and gates along the London Road frontage on properties within the Green Belt (50 – 62 London Road). The location of these properties is shown on Appendix 1, a plan of the wall and gates to 52 London Road are **attached** at Appendix 3 and photographs of the examples will be displayed at the committee meeting.

## 7.0 CONCLUSION

- 7.1 I recommend that planning permission is granted for the erection of the palisade fence because it would provide the required security for the commercial operation of the site but would allow visual permeability. Given the design of the fencing and the provision of hedging, the development will have a negligible impact on the openness of the Green Belt, will not affect road safety or the amenity of neighbours and will enhance the character of the area. As such the development accords with the Development Plan Policies.

**8.0 RECOMMENDATION**

**8.1 That planning permission be granted subject to the following conditions:**

- 1. Commencement**
- 2. Compliance**
- 3. A traditional field hedge shall be planted along the boundary of the land with London Road within 3 months of the erection of the palisade fencing or within the first planting season after the erection of the fence, whichever is sooner, and such hedge shall be so tended as to grow to and remain at a height of not less than 1.5 meters, and any plant which may die or be seriously damaged or destroyed within 5 years of the completion of the development shall be replaced and the replacement shall be properly maintained.**

Author: Sharon Crawford  
Contact No: 01491 823739  
Email: [planning.west@southoxon.gov.uk](mailto:planning.west@southoxon.gov.uk)