



**North Northamptonshire Area Planning Committee
(Thrapston)
20 September 2021**

Application Reference	NE/21/00906/FUL
Case Officer	Jennifer Wallis
Location	Hall Farm, Main Street, Wigsthorpe
Development	Construction of a Park railing fence 1 metre from the edge of adopted highway on a grass verge
Applicant	Mrs Virginia Burnett
Ward	Thrapston
Overall Expiry Date	30 August 2021
Agreed Extension of Time	24 September 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Officer's recommendation is contrary to the Parish Council's objection.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application proposes the erection of steel park railing fencing. The proposed fencing would be 1.2m in height and would be sited alongside the highway surrounding Hall Farm.
- 2.2 The fencing would be post and rail in design and is to be sited 1m from the edge of the adopted highway.

3. Site Description

- 3.1 The application site includes Hall Farm and associated land on the edge of the small settlement of Wigsthorpe. The land lies to the south of Main Street and follows the highway to the junction with the B662, to the south. Hall Farm includes a large detached dwelling, cottage and a number of agricultural buildings. The boundary to the site is currently tree lined or a mixture of hedgerow and post and rail fencing. To the east and northeast of the site is the village of Wigsthorpe with open countryside to the south and west.

4. Relevant Planning History

- 4.1 None relevant

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Lilford, Wigsthorpe and Thorpe Achurch Parish Council

That the Parish Council has no alternative but to object to the application due to its location on what is a single track lane which is used by large agricultural machinery, delivery trucks, utilities vehicles and residents and visitors to the village as well as walkers on the Nene Valley Way. Councillors are concerned that the site plan appears to show the proposed fence passing through the one existing passing place which in itself is insufficient for this access route as it is already known that motorists on occasions have to reverse back onto the B662 if they meet a large vehicle, or, if a smaller vehicle, pull onto the area to be fenced between the passing place and the junction with the B662. Lilford Wigsthorpe Thorpe Achurch Parish Council therefore objects to this application in its present form.

5.2 Neighbours / Responses to Publicity

Letters sent to four properties. Four letters of representations have been received commenting on the following grounds;

- Access needed for large agricultural vehicles that use more than the width of the single track road.
- Access also needed for deliveries and collections for the residents and farms in the village.
- The plans indicate the loss of the passing place that is vital to enable the safe passing of two way traffic. The passing place has been in use since the early 1980's.
- The road is used as a diversion onto the B662 when there is a problem on the A605. We see a large volume of traffic at times and even with a passing place the road becomes dangerous for other road users and pedestrians.
- The road comprises part of the Nene Way and is used by walkers, cyclists and horse riders. There would be a danger to these users from vehicles trying to pass each other on the narrow lane.

- This 3 metre wide road has only one passing place compared to 7 on the approach from the A605. It is somewhat overhung by trees planted 3 metres from the road which are not crown-lifted and already impede movement of high-sided vehicles. The proposal to leave 1 metre of grass strip on the east verge leaves no space to avoid oncoming traffic, as the west verge has both a ditch and drainage grips. The east verge has recently had a fibre optic cable laid underground which would be at risk of damage by fencing contractors.
- Due to the loss of the grass verge at the narrowest place of the road there would not be enough space for cars to pass making it unsafe.
- Narrowing the grass verge would mean that at some point when two vehicles meet it would result in either having to reverse back towards the village or on to the B662. With the over hanging trees it is not always easy to see if any vehicles are coming along the road to use the passing place.
- The other access onto A605 does not have great visibility making it difficult for farm vehicles to safely join the road.
- In general walkers and cyclists use the road, for example when walking the Nene Way. In the past people may have walked under the trees alongside the road which this application would fence off. However, these are now more mature and over hanging and this area is not a right of way. Should a fence be erected these trees would need to be pruned to ensure the one metre from the highway is clear. This would ensure a clear line of sight for vehicles should walkers need to step aside to allow to pass.
- This is a quiet straight lane so normally visibility is good and NNC should ensure that this will not be reduced by any proposals.

5.3 Highways (LHA)

The LHA requires that the applicant demonstrates that the proposed installation of the park railing does not affect the visibility splays of the junctions/accesses that the railing will be encroaching.

The applicant will be required to demonstrate the necessary vehicular visibility splays of 2 metres x 215 metres (for a 60mph road) on both sides of the access. These splays must not contain any other third party owned land and shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.

5.4 Natural England

No comment to make on this application.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 National Policy
National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 8 - North Northamptonshire Place Shaping Principles
- 6.4 Other Relevant Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

7. Evaluation

The key issues for consideration are:

- Visual Impact
- Impact on Neighbouring Amenity
- Impact on Highway Safety and Parking
- Other issues

7.1 Visual Impact

- 7.1.1 National guidance contained within the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy 1 of the North Northamptonshire Joint Core Strategy seeks to secure sustainable development and Policy 8 requires new development to comply with a number of sustainable principles including being of a high standard of design.
- 7.1.2 Planning permission is sought for the erection of park railing fencing along the highway to land associated with Hall Farm, on the edge of Wigsthorpe. The site is currently enclosed by trees, hedgerow and some timber post and rail fencing. The proposed fencing would be typical of park railings and constructed in steel. The fencing would be 1.2m in height in 1.1m sections and would be sited 1m from the edge of the adopted highway.
- 7.1.3 Sited along the boundary of the site the proposed fencing would be visible from the public realm. The fencing would be typical fencing that surrounds large estates and park land and would be predominantly open. The style and design of fencing proposed would not be out of character with the farm and farmland it is to be associated with and would not have a detrimental impact upon the surrounding area.

- 7.1.4 Planning permission is only required for the fence as it is 200mm higher than what would be permissible under permitted development rights. Under Part 2, Class A of the General Permitted Development Order 2015 (as amended) the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure is permissible up to 1 metre above ground level adjacent to the highway. If the proposed fence were 1m or lower then it would not require planning permission and the local authority would have no control over the siting or design of the fencing.
- 7.1.5 The proposed park railing fencing is considered to be sympathetic to this rural location and would not have any detrimental impact on the character and appearance of the surrounding area.

7.2 Impact on Neighbouring Amenity

- 7.2.1 The NPPF and Policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring users. The policy also seeks to ensure residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
- 7.2.2 The proposed fencing is to the boundary of Hall Farm along Main Street to the north and along the western boundary to the B662. To the north of the site on the opposite side of Main Street is Wigsthorpe Farm Cottage and Wigsthorpe House Farm. Properties to the north are separated by the highway and some distance from the proposed fencing. As such the proposed park railing would not have any adverse impact on the residential properties to the north.
- 7.2.3 To the south and west of the site is open countryside/farm land and to the east is land associated with Hall Farm.
- 7.2.4 Having regard to the above it is considered that the proposal would not impact significantly upon neighbouring properties and a satisfactory relationship would remain.

7.3 Impact on Highway Safety and Parking

- 7.3.1 The application proposes the erection of open park railing fencing to the north and west of Hall Farm. The fencing would be sited 1 metre from the edge of the adopted highway within a grass verge. The fencing is to be sited along Main Street, to the north, from the access to Hall Farm and then following the highway to the west to adjoin the B662.
- 7.3.2 Highways have requested that the applicant demonstrates that the proposed installation of the park railing does not affect the visibility splays of the junctions/accesses that the railing will be encroaching.

- 7.3.3 Further information has been submitted by the applicant showing the open nature of the railings proposed. They have also confirmed that the siting of the proposed railings will stop short of an existing gateway into one of their fields and there would be no impact on the visibility of traffic either turning onto the B662 from the track to Wigsthorpe or turning from the B662 towards Wigsthorpe. The highway comments are awaited on the information submitted and will be updated prior to committee.
- 7.3.4 The Parish Council and a number of objections have been received to the fencing in relation to the impact on highway safety, particularly in relation to the width of the highway and the nature of the traffic, passing places, walkers and the loss of the grass verge.
- 7.3.5 The proposed railings are to be sited on land within the applicant's ownership and only require planning permission as they are 200mm higher than a fence or means of enclosure that is permissible under permitted development. Furthermore, a fence up to 1m in height could be erected which is solid and not open like the proposed railings, which would have a greater impact on visibility.
- 7.3.6 The proposed park railing fence would be set back from the edge of the highway and, due to the design, would allow for visibility through the large gaps in the railings. The fence would be on private land, which could be enclosed by means of a wall, fence or other means of enclosure up to 1 metre in height without requiring planning permission.
- 7.3.7 Subject to no objection being received from the highway authority on the additional information and taking into consideration the realistic fallback position, that a non-see-through 1m high fence could be erected in this location, the proposed railings would not have a detrimental impact upon highway safety.

8. Conclusion / Planning Balance

- 8.1 In this instance the proposed park railing is considered to be compliant with relevant national and local planning policy as:
- Is of an appropriate scale and design;
 - Would not have a harmful impact upon the character and appearance of the area;
 - Would not have a significantly detrimental impact upon the amenity of neighbours;
 - Would not have a harmful impact upon highway safety; and
 - There are no other material planning considerations which have a significant bearing on the determination of this application

9. Recommendation

- 9.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore that Planning Permission be GRANTED subject to conditions.

10. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the following documents:

- Site Location Plan, as received by the Local Planning Authority on 5th July 2021; and
- Proposed Railing Plan, as received by the Local Planning Authority on 5th July 2021; and
- Elevation Plan, as received by the Local Planning Authority on 5th July 2021; and

Reason: In order to clarify the terms of this consent and to ensure that the development is carried out as permitted.

- 3 The development hereby permitted shall be finished externally in materials as detailed on the submitted application form and plans. The approved materials should be maintained and retained in perpetuity thereafter.

Reason: To achieve a satisfactory elevational appearance for the development.

11. Informatives

N/A