

Meeting:	Development Control Committee
Date:	Wednesday 8 February 2006
Subject:	Ravensholt, 12 Mount Park Road, Harrow on the Hill
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report is in relation to the unauthorised erection of a wire fence with concrete posts and reed panelling.

The wire fence, concrete posts and reed panelling are sited on land at Ravensholt, 12 Mount Park Road, Harrow on the Hill. The metal mesh fencing panels and stabilising mounts, by reason of their size, siting and appearance, are considered to be inappropriate, obtrusive and give rise to the loss of outlook, views and openness, to the detriment of the visual amenity, appearance and character of the surrounding Conservation Area. The site is situated within the Mount Park Conservation Area. The development is contrary to policies SD1, SD2, D4, D9, D14, D15 of the Harrow Unitary Development Plan 2004. It is therefore recommended that an Enforcement Notice be served to secure their removal.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) The demolition of the metal mesh fence, concrete posts and reed

panelling.

(ii) The permanent removal of the materials arising from compliance with the requirement in (b) (i) above from the land.

(c) [(b)] (i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect.

(d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.

(e) Institute legal proceedings in event of failure to:

(i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

(ii) comply with the Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that the amenities of the neighbouring occupiers properties would continue to be harmed.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.1 Planning permission reference P/1252/05/DFU for the retention of replacement post and wire fence, partly with temporary reed screening, was refused on 2 September 2005 for the following reasons:
The wire mesh fence and reed backing, by reason of inappropriate materials, and inadequate natural screening are unduly obtrusive in the streetscene on this prominent corner and fail to preserve or enhance the character and appearance of the property in this part of the Conservation Area.

Relevance to Corporate Priorities

- 2.2 This report addresses the Council's stated priority of enhancing the environment of the borough.

Background Information and Options Considered

- 2.3 The property known as "Ravensholt" is located on the southern side of Mount Park Road. The property is locally listed and was constructed around the turn of the 20th Century and located within the Mount Park Conservation Area. The character of the area is one of large late Victorian and Edwardian dwellings with extensive gardens, set well back from the road, giving a feeling of openness.
The Mount Park Conservation Area Policy Statement states, that natural, soft boundaries in the conservation area are highlighted as one of the characteristics.
- 2.3 In relation to Policy D4, The Harrow Council Unitary Development Plan 2004 Policy D4 states:-
"The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development:-
a) Site and setting;
b) Content, scale and character;
c) Public realm;
d) Energy efficiency, renewable energy, sustainable design and construction;
e) Layout, access and movement;
f) Safety
g) Landscape and open space; and
h) Adequate refuse storage."
- 2.4 These policies are reinforced in the more general Policy, SD1 *Quality of Design* and SD2 *Conservation Areas, Listed Buildings, Sites of Archaeological Importance, and Historic Parks and Gardens* of the Unitary Development Plan 2004. SD2 states, that the Council will preserve or enhance the character or appearance of conservation areas, preserve the

special interest of listed buildings and protect sites of archaeological importance and historic parks and gardens

- 2.5 The Harrow Council Unitary Development Plan 2004 Policy D9 states:-
The Council will seek to achieve and retain a high quality of streetside greenness and forecourt greenery in the Borough and:-
- a) Will resist proposals which include hardsurfacing of the whole front gardens or the loss of landscaped areas forming a setting to flatted developments;
 - b) Consider the making of Article 4 Directions to control forecourt treatment in areas of high amenity value threatened by the form and amount of development taking place;
 - c) In public and private streets, undertake and encourage new planting of trees and shrubs, by legal agreement if necessary, and provide, restore and/or maintain grass verges; and
 - d) Where new proposals include hardsurfacing of part of a front garden, require the use of surface materials that respect the character of the building and the surrounding area, the retention of existing landscaping and the provision of suitable boundary treatment.

- 2.6 Policy D14 Conservation Areas, of the Harrow Council Unitary Development Plan 2004: states:-

The Council will seek to preserve or enhance the character or appearance of conservation areas by:-

- a) Seeking to retain buildings, trees and other features which are important to the character or appearance of the area;
- b) Allowing redevelopment only when the new building would contribute to the area by preserving or enhancing its character or appearance;
- c) Where appropriate, using its powers under the town and country planning acts to secure an enhancement of derelict buildings or land;
- d) Preparing specific policies and proposals for each conservation area, within the framework of the plan; and
- e) Preparing supplementary planning guidance to be applied to existing or proposed development within conservation areas or other areas regarded as having townscape importance

There will be a presumption against the demolition of buildings which make a positive contribution to the character or appearance of a conservation area. If a building makes a neutral contribution, its value will be assessed against any proposed development.

- 2.7 Policy D15, Extensions and Alterations in Conservation Areas, of the Harrow Council Unitary Development Plan 2004 states:-

Proposals for new development and for the alteration and extension of existing buildings in conservation areas should comply with the following criteria:-

- a) The position of the building on its site should properly relate to surrounding buildings an/or spaces;
- b) Materials and detailing should be appropriate to the area and in keeping with surrounding buildings;

- c) The development should be in scale and harmony with surrounding buildings and the area;
 - d) The design should ensure that the proportions of the parts are in scale with each other and properly relate to adjoining buildings;
 - e) The development should not adversely affect the streetscape, roofscape, skyline and setting of the conservation area, or significant views in or out of the area; and
 - f) The development should not adversely affect open spaces or gaps in the townscape which contribute to the character or appearance of the conservation area.
- 2.8 The wire fence with concrete poles and reed panelling has been erected along the boundary of the property fronting Mount Park Road. It is considered that the type and location of the fencing is out of character with the surrounding area and has a detrimental impact on the views from the conservation area by virtue of its streetscene.
- 2.9 At the time of the publication of the Mount Park Conservation Area Policy Statement in 1989, the boundary treatment of Ravensholt was a thick, lush hedgerow along its whole boundary length. This can be seen on pages 32-33 of the Mount Park Conservation Area Policy Statement. The Policy Statement describes the boundary as being a green verge or hedgerow and the various photos throughout the statement show it having dense foliage. An Article 4 Direction was implemented in 1989, requiring planning permission for the erection, construction, maintenance, improvement or other alteration of a gate, fence, wall or other means of enclosure.
- 3.0 The natural, soft boundaries in the conservation area are highlighted in the study as one of the important characteristic that make it special enough to merit conservation area status. Policy 2 of the Mount Park Conservation Area Policy Statement states that: "Development should include the retention of existing hedgerows and verges should be retained and any proposals which result in the fragmentation of these important linear features will be refused".
- 3.1 The current situation is considered to be unacceptable because the wire fence and concrete posts are visible and are of poor quality. The materials of the reed panels appear inappropriate in a semi rural natural landscape, in an important prominent corner of the conservation area, these materials are deemed to be obtrusive in nature and detrimental to the street scene.
- 3.2 The wire fence with concrete posts and reed panelling is not in accordance with a number of the Council's policies, specifically SD1, SD2, D4, D9, D14, D15 of the Harrow Unitary Development Plan 2004. It is considered that significant harm is caused by this development; therefore, it is recommended that a planning enforcement notice be issued.

The alleged breach of planning control

- 3.3 Without planning permission, the erection of a chain link fence with concrete posts and reed panelling.

Reasons for issuing the notice

- 3.4 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.5 The wire fence with concrete posts and reed panelling by reason of inappropriate materials, and inadequate natural screening are unduly obtrusive in the streetscene on this prominent corner and fail to preserve or enhance the character or appearance of the property in this part of the Conservation Area, contrary to Policies SD1, SD2, D4, D9, D14 and D15 of the Harrow Council Unitary Development Plan 2004.
- 3.6 The council does not consider that planning permission should be granted because planning conditions would not overcome these problems.

Consultation

- 3.6 -Ward Councillors copied for information
-Harrow Council Legal Services
-Harrow Council Financial Services
-Harrow Council Conservation Team

Financial Implications

- 3.7 There are no financial implications at this stage

Legal Implications

- 3.8 As contained in the report

Equalities Impact

- 3.9 None

Section 17 Crime and Disorder Act 1998 Considerations

- 4.0 None

Section 3: Supporting Information/ Background Documents

P/1252/05/DFU Retention of replacement post and wire fence, partly with temporary reed screening.