

The reasons for refusal are therefore:

1. It refusal refers to non compliance with policy IMP1 by reason of its siting and height close to the pedestrian footpaths. In the Transportation consultation there is comment on sightlines across the area of the garden ground. The proposed fence would not worsen the existing sightlines as there is existing vegetation and more importantly the path continues well beyond the corner before changing direction so does not bend around the site so there is not a problem with sightlines. It is understood that Transportation did not see this as a reason for refusal.
2. The proposals for the fence are thought to be visually intrusive yet the fence proposed is no higher than the existing fencing to the adjacent courtyard and locality.
3. The proposals are thought to be an uncharacteristic addition within the locality but the fence is intended to be the same height, specification and finish as the existing fencing to the adjacent courtyard and locality. In relation to front gardens there is fencing to front gardens throughout the development, in some instances higher than that proposed, see also attached design statement submitted with the application. In the case of 1-3 Bailey Place for example nearby there is higher fencing surrounding the front garden to Council owned property in a far more prominent location. In this instance, it is understood that the Council did not even consider it necessary to apply for planning permission.
4. The Planning Officer would appear to have found it difficult to understand the extent of the proposals despite correspondence and drawings submitted being clear and unambiguous. It will be noted that the proposals in drawing no 14/39/04B which amended the proposals initially submitted to try to address the Planning Officer concerns were considered 'to be fine', see email correspondence. This opinion was then changed by the Planning Officer who had meantime lost the information provided. The application was then determined despite a reasonable request for an extension of the period for determining the application due to the confusion on the part of the Planning Officer and the Officer going on holiday.

The applicant is just wanting a fence to the same height and specification as others within the immediate locality, albeit not front gardens next to her, to get some year round privacy to her front garden and to stop youths either damaging the garden planting or using her garden as a short cut. The proposal would not have any adverse impact on neighbours or the development generally and would help to improve the amenity of her property. Refusal is thought to be unreasonable and without justification in relation to policy.