

Acknowledgement Letter Document date 01/06/2021 15:25



ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

Growth Directorate

Jayne Traverse
Director of Growth

Planning Department, Tameside MBC,
PO Box 304, Ashton Under Lyne
Tameside, OL6 0GA

Mr Jason Dugdale
The Old Post Room
34 Chew Valley Road
Greenfield
Saddleworth
OL3 7DA

Planning Enquiries 0161-342 4460
FAX 0161-342 3111
Minicom 0161-342 2283

www.tameside.gov.uk
Email: xxxx.xxxx@xxxxxxxxx.xxx.xx

Your Ref :Hodge Manor
Our Ref :21/00128/FUL
Ask for :Miss Anna Hayes
Direct Line 0161 342 3219
Date :24th February 2021

Dear Sir/Madam,

ACKNOWLEDGEMENT OF PLANNING APPLICATION

Your application for: **Full Planning Permission**

for: **Erection of 1.8 metre high timber boundary fence structure including proposed coverage with green landscape treatment planting - Part Retrospective**
at: **Hodge Manor Hodge Lane Broadbottom Tameside**

was validated on 2nd February 2021.

Your application will be dealt with as quickly as possible, but in your case a decision should be made by 30th March 2021.

If you have not been made aware of a decision by 30th March 2021 and you have not agreed to extend the time in which the Council can make a decision, then you can appeal to the Secretary of State for Communities and Local Government. You should appeal within 6 months. Please see <https://www.planningportal.co.uk/info/200207/appeals>

This acknowledgement does not confirm that your application contains all the details necessary for it to be fully assessed. It may, therefore, be necessary for my staff to contact you for further information or to discuss amendments to your proposals. In view of this it would be unwise to incur any spending on work or materials before getting your permission.

The case officer will visit the site and take photographs in assessing the merits of the application. You can request to address the Speakers Panel [PLANNING], except for householder applications. Requests should be made in writing within 21 days of the date of this letter. You may also need Building Regulations approval, which is completely separate from planning permission. If you receive one permission, it does not mean you will automatically receive the other.

Please also be advised of the Council's Privacy Notice which shows what information we collect, how we use it and who we share it with: www.tameside.gov.uk/dataprotection/PrivacyNotice / <https://www.tameside.gov.uk/TamesideMBC/media/foi/Planning.pdf>

Yours faithfully,

Jayne Traverse
Director of Growth

Decision Notice Document date 01/06/2021 15:25



Planning Department, Tameside MBC, PO Box 304, Ashton Under Lyne, Tameside, OL6 0GA
Telephone 0161 342 4460

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and address of applicant/agent: Mr Richard Gibson C/O Mr Jason Dugdale The Old Post Room 34 Chew Valley Road Greenfield Saddleworth OL3 7DA	Date of Application: 2nd February 2021 Date of Decision: 30th March 2021 Application Number: 21/00128/FUL
---	---

Particulars and location of development:

Erection of 1.8 metre high timber boundary fence structure including proposed coverage with green landscape treatment planting - Part Retrospective.

Hodge Manor, Hodge Lane, Broadbottom, Tameside, SK14 6BW.

The Tameside Metropolitan Borough Council hereby give notice that permission has been refused for the carrying out of the development referred to above for the following reasons:

1. The fence represents 'inappropriate development' within the Green Belt which is, by definition, harmful. It cannot be approved except where 'very special circumstances' exist whereby the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The fence results in harm to the openness of the Green Belt by virtue of its substantial height, length, and its prominence within the environment. It has also introduced an urbanising feature into an otherwise rural landscape failing to integrate with the established character of the area influenced by the historic setting of adjacent Grade II listed buildings at 1-19 Hodge Lane. There are no other considerations that clearly outweigh this identified harm and therefore very special circumstances do not exist. The fence is therefore contrary to Policies OL1, C1, C6 and H10 of the Tameside Unitary Development Plan for Tameside and associated guidance in the National Planning Policy Framework - particularly paragraphs 133, 143, 144, 145, 193 and 196.

NOTES FOR APPLICANT

REASON FOR REFUSING PLANNING PERMISSION

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) England Order 2015 (as amended): The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

This application has been determined on the basis of the following submitted drawings/documents:

- Application form signed and dated 01/02/2021;
- Red line location plan (unnumbered) received by the local planning authority on 2nd February 2021;
- Block Plan (unnumbered) received by the local planning authority on 2nd February 2021;
- Proposed scheme for landscaping plan (unnumbered) received by the local planning authority on 2nd February 2021;
- Drawing number GRC000-E1 dated 19/11/18 received by the local planning authority on 2nd

Decision Notice Document date 01/06/2021 15:25



Planning Department, Tameside MBC, PO Box 304, Ashton Under Lyne, Tameside, OL6 0GA
Telephone 0161 342 4460

- February 2021;
- Drawing number GRC 080 REV P dated 01/02/21 received by the local planning authority on 2nd February 2021;
 - Unreferenced supporting statement dated January 2021 received 2nd February 2021; and,
 - Planning Statement dated January 2021.

Jayne Traverse

Jayne Traverse
Director of Growth

Dated: 30th March 2021

Decision Notice Document date 01/06/2021 15:25



Planning Department, Tameside MBC, PO Box 304, Ashton Under Lyne, Tameside, OL6 0GA
Telephone 0161 342 4460

NOTES

a) Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- Generally, if you wish to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However;

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (xxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx.xx) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

(b) Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to

Decision Notice Document date 01/06/2021 15:25



Planning Department, Tameside MBC, PO Box 304, Ashton Under Lyne, Tameside, OL6 0GA
Telephone 0161 342 4460

purchase his interest in the land in accordance with the provisions of the Town and Country Planning Act 1990.

(c) Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in section 120 of the Town and Country Planning Act 1990.

Fee Calculation Summary Document date 01/06/2021 15:25

Fee Calculation Summary

Application Fee For: Hodge Manor (PP-09477121)

Application type: Householder planning permission

Exemptions 1 exemption ticked

Is this proposal the first revision of an application for a development of the same character or description on the same site by the same applicant and is: 1) within 12 months of making the earlier application if withdrawn, or 2) within 12 months of the date of decision if the earlier application was granted or refused (including signs only if withdrawn or refused), or 3) within 12 months of the period when the giving of notice of a decision on the earlier valid application expired, where an appeal was made for the earlier application on the grounds of non-determination?

Fee Calculation

Flat fee for Householder application	£206.00
--------------------------------------	---------

Reductions

No reductions have been applied

Payment

Payment Method:

Total

Amount due	£0.00
------------	-------

Neighbour Notification List Document date 01/06/2021 15:25

21/00128/FUL

Site Location:
Hodge Manor
Hodge Lane
Broadbottom
Tameside
SK14 6BW

FILE COPY

SUMMARY OF NEIGHBOUR NOTIFICATIONS

Address	Letter	Date Printed
1 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
11 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
13 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
15 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
17 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
17A Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
19 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
21 Byron Road Denton Tameside M34 7LY	NLET15	24.02.2021
3 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
46 Lower Market Street Broadbottom Tameside SK14 6AA	NLET15	24.02.2021
5 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
7 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021
9 Summerbottom Broadbottom Hyde Tameside SK14 6BP	NLET15	24.02.2021

Neighbour Notification List Document date 01/06/2021 15:25

Hodge Cottage Hodge Lane Broadbottom Hyde Tameside	NLET15	24.02.2021
Weir Cottage Hodge Lane Broadbottom Tameside SK14 6BW	NLET15	24.02.2021

Objection 1 Document date 01/06/2021 15:25



This email is on behalf of [redacted] who live [redacted] in question

The lane is very narrow at best the plans that have been submitted will make the lane narrower and it's a massive worry to me for ambulance services fire service to respond in time to any thing serious and all so the lane is very busy as there is only one way in and out of hodge lane and at least 10 other houses hold use it

Thanks [redacted]

[Get Outlook for Android](#)

Objection 2 Document date 01/06/2021 15:25

Comments for Planning Application 21/00128/FUL

Application Summary

Application Number: 21/00128/FUL

Address: Hodge Manor Hodge Lane Broadbottom Tameside SK14 6BW

Proposal: Erection of 1.8 metre high timber boundary fence structure including proposed coverage with green landscape treatment planting - Part Retrospective

Case Officer: Miss Anna Hayes

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Development Too Big
- Out Of Character
- Sets A Precedent

Comment:Hi,

I am objecting to the fence and the wall because it is too high. over 6f/t in places.

The plants that are being suggested will make the lane even narrower than it is now. This could lead to Emergency services struggling to access the properties at the top of the lane and Hodge Cottage.

Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



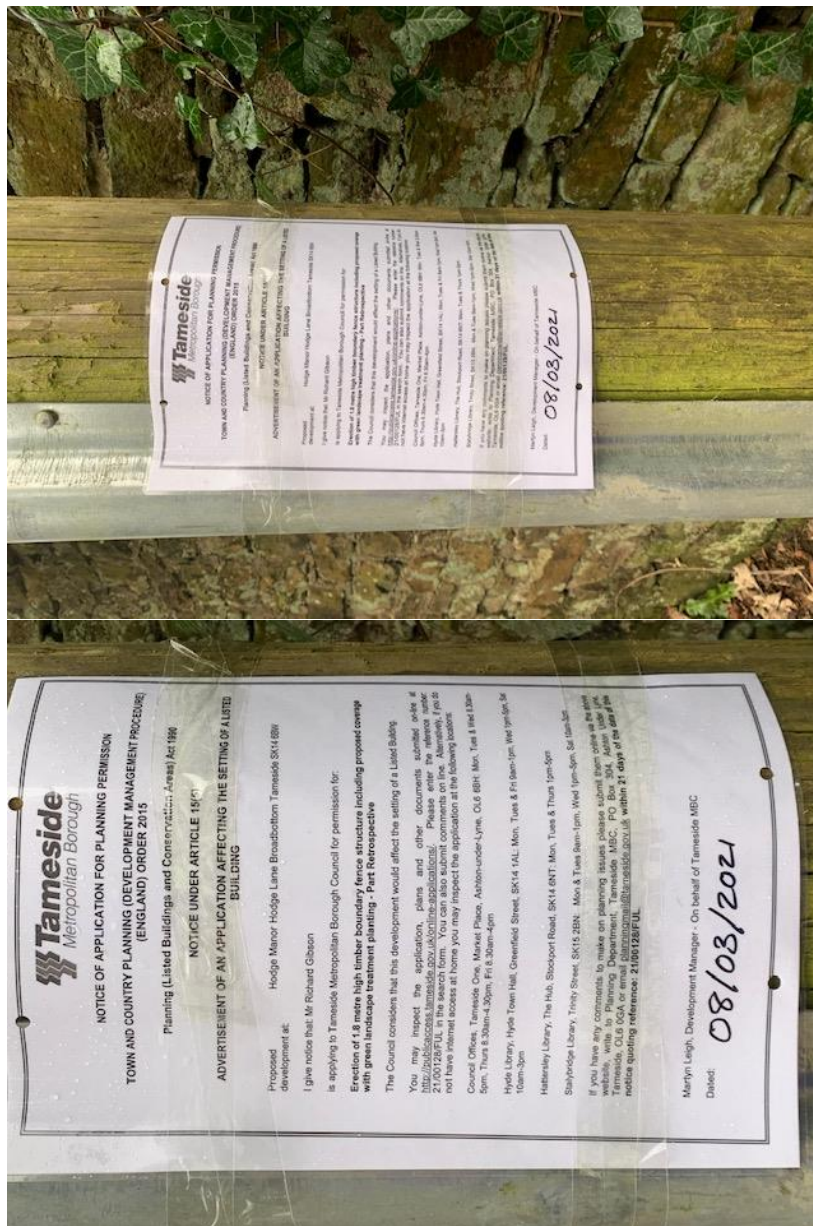
Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Photographs Document date 01/06/2021 15:25



Officer Report Document date 01/06/2021 15:25

DELEGATED REPORT SHEET

Application Number: **21/00128/FUL** Date Received: 2nd February 2021
Expiry Date: **30th March 2021**
Ext of Time Agreed:

Proposal: Erection of 1.8 metre high timber boundary fence structure including proposed coverage with green landscape treatment planting - Part Retrospective

Location: Hodge Manor Hodge Lane Broadbottom Tameside SK14 6BW

Applicants Name: Mr Richard Gibson Agents Name: Mr Jason Dugdale

Date of site visit: 8th March 2021

SITE & SURROUNDINGS

The application relates to a timber panel fence erected along a stretch of the boundary of Hodge Manor with Hodge Lane to the south east of the main house. The area is within the Green Belt and there is a group Tree Preservation Order (TPO) as well as individual TPOs that run alongside Hodge Lane. The River Etherow runs within 100m to the south of the fencing, and further up Hodge Lane sits the Grade II Listed row of terraces at 1-19 Hodge Lane. Hodge Lane is an unadopted private road.

DESCRIPTION OF PROPOSAL

The application seeks part retrospective planning permission for the erection of a 1.8m high timber panel fence along a 120m stretch of the south east boundary of the site adjacent to Hodge Lane. The fence is currently in situ but it is proposed to complete the timber fence with a stained finish in the colour woodland green or similar, and cover over with suitable landscaping including creeping plant species ivy, Russian Vine and Cotoneaster.

RELEVANT PLANNING HISTORY

18/00980/FUL - Timber Fence to boundary of property (1.8m high) - Retrospective - Refused 12.06.2020

20/00703/CPUD - Lawful Development Certificate for a Proposed Development: Erection of a 1.0 metre high close boarded timber fence along the boundary of the curtilage of Hodge Manor (adjacent to Hodge Lane). - Approved 25.09.2020

RELEVANT POLICIES

Tameside Unitary Development Plan (2004)

Part 1 policies:

- 1.3: Creating a Cleaner and Greener Environment
- 1.5: Following the Principles of Sustainable Development
- 1.11: Ensuring an Accessible, Safe and Healthy Environment

Part 2 policies:

- C1 Townscape and Urban Form
- C6 Setting of Listed Buildings
- H10 Design of Housing Developments
- OL1 Protection of the Green Belt

UDP Allocation:

Green Belt

Other material planning considerations:

National Planning Policy Framework

Officer Report Document date 01/06/2021 15:25

Tameside Residential Design Guide SPD (2010)
The Town and Country Planning (General Permitted Development) (England) Order 2015
(as amended)

CONSULTATION RESPONSES

Ecology - No objection
Arboricultural Officer - No objection

REPRESENTATIONS

2 representations (objections) have been received within the consultation period, the salient points are summarised below:

- o The lane is very narrow and the width of the track has been reduced which may impede emergency vehicles;
- o The plants that are being suggested will make the lane even narrower than it is now;
- o The lane is very busy and is the sole access point to a number of houses;
- o Objection to the fence because it is too high and over 6ft in places;
- o Development is too big;
- o Out of character;
- o Sets a precedent.

ASSESSMENT, RECOMMENDATIONS & CONDITIONS/REASONS/INFORMATIVES

Planning permission was refused under application reference 18/00049/FUL for the following reason:

"The fence represents 'inappropriate development' within the Green Belt which is, by definition, harmful. It cannot be approved except where 'very special circumstances' exist whereby the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The fence results in harm to the openness of the Green Belt by virtue of its substantial height, length, and its prominence within the environment. It has also introduced an urbanising feature into an otherwise rural landscape failing to integrate with the established character of the area influenced by the historic setting of adjacent Grade II listed buildings at 1-19 Hodge Lane. There are no other considerations that clearly outweigh this identified harm and therefore very special circumstances do not exist. The fence is therefore contrary to Policies OL1, C1, C6 and H10 of the Tameside Unitary Development Plan for Tameside and associated guidance in the National Planning Policy Framework - particularly paragraphs 133, 143, 144, 145, 193 and 196."

The current proposal is a re-submission of the above application and seeks part-retrospective planning permission to retain the height and length of the existing fence but proposes a couple of amendments to the external appearance. These amendments include:

- o The applicant proposes to treat the existing timber fence with a 'Woodland Green' stain; and,
- o Cover the fence with a mixture of natural green climbing plants including Ivy, Russian Vine and Cotoneaster. A landscaping scheme schedule has been submitted with the application.

The 1.8m high timber panelled fence stands approximately 2m in height above the level of Hodge Lane, and projects along a 120m stretch of land adjacent to an unadopted, private road in Broadbottom. The site lies within the Green Belt and a group TPO runs adjacent to the road in line with the fencing. At the end of Hodge Lane sits the Grade II Listed 1-19 Hodge Lane, a row of stone terraces currently used as individual residential dwellings.

Principle of development within the Green Belt:

Paragraph 133 of the NPPF explains, amongst other things, that the essential characteristics

Officer Report Document date 01/06/2021 15:25

of Green Belts are their openness and permanence.

Paragraph 145 of the revised NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. A "building" is defined by the Town and Country Planning Act 1990 as including "any structure or erection" and therefore, for the purposes of the NPPF, the fence constitutes a new building within the Green Belt. The development does not fall within any of the exceptions to inappropriate development set out in paragraph 145 of the NPPF and is, therefore, 'inappropriate development'.

As explained in paragraph 143 of the NPPF, inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 explains that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As such, to assess whether the principle of development is acceptable, it is first necessary to consider the impact of the development and whether any other considerations exist which amount to very special circumstances.

Impact on openness:

The fence extends approximately 120m along Hodge Lane, is approximately 2m in height, and is constructed with vertical timber panels. A key feature of Green Belts is their permanence and their openness; openness is widely understood to be the absence of development, though visual impacts may also be taken into consideration when assessing impacts on openness.

Prior to the erection of the fence the northern side of the lane bounding land at Hodge Manor comprised mature trees and low lying vegetation growing up the embankment away from Hodge Lane. The fence represents a new form of development within this Green Belt location where previously there was none and is an urbanising feature which generates a sense of enclosure to Hodge Lane and reduces the sense of openness. Moreover, the use of vertical timber panels for the fence material increases the prominence of the fence within the landscape which fails to integrate with the character of the area into which it has been introduced. The proposed use of vegetation to obscure the fence panels from view and proposed change in colour would not overcome the above concerns in respect of openness and provides only limited visual benefits. Arguably, the vegetation which would be encouraged to grow on the manmade structure would further enclose this section of Hodge Lane.

Design and impact on setting of Listed Buildings:

Paragraph 193 of the revised NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective to the level of harm to its significance. Paragraph 196 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy C1 of the UDP provides general overarching design principles and states proposals should respect existing character. Policy C6 of the UDP goes on to state new development which fails to preserve, or detracts from, the setting of a Listed Building will not be permitted.

To the north east of the fencing at the end of Hodge Lane sits the Grade II Listed row of terraces at 1-19 Hodge Lane. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that the primary duty of the local planning authority in relation to listed buildings is to have special regard to the desirability of preserving the building, its setting and any

Officer Report Document date 01/06/2021 15:25

features of special architectural or historic interest which it possesses. As the primary means of access the fence will be viewed by vehicular and pedestrian users of Hodge Lane on the approach to the designated heritage asset at 1-19 Hodge Lane.

The existing timber fence represents an urbanising feature that appears out of character and incongruent within this predominantly rural setting and which fails to integrate with the established character. By virtue of its substantial height, excessive length along Hodge Lane, and being constructed of vertical timber panels, the fence appears overly prominent and visually jarring with the character and appearance of the local area. Existing residential boundary treatments within the locality include stone and dry stone walls; there are a few low rise wooden and picket fences to the frontage of 1-19 Hodge Lane that sit unobtrusively within the landscape. To overcome this harm it is proposed to alter its external appearance, however it is considered that the use of a 'Woodland Green' fence stain would not sufficiently overcome the above concerns, having regard its substantial height and excessive length. The proposed fence would still be a strong departure from the stone walls and hedgerows which line Hodge Lane. The applicant has drawn reference to other fence types in the area but these do not outweigh the severity of the harm caused by the proposed boundary treatment in this prominent and sensitive location.

Given its substantial height, excessive length and appearance (materials), the fence presents an urbanising feature in an otherwise rural landscape. The fence fails to integrate with the established character of the area as well as being highly visible and prominent within the area, to the detriment of the character and appearance of the area and subsequently the setting of the Grade II Listed 1-19 Hodge Lane. There are no apparent public benefits. The application is therefore contrary to Policies C1 and C6 of the UDP and paragraph 196 of the NPPF.

Impact on residential amenity:

It is considered that no direct harm to the amenity of neighbouring residential properties is caused by the proposed fence. The fence is sited a sufficient distance away from neighbouring properties so as not to appear oppressive or result in a loss of natural daylight. The fencing is largely screened from view from neighbouring properties to the south along Hodge Lane.

Highways:

Hodge Lane is an unadopted private road, along which there are no definitive footpaths or rights of way. As such any alterations to this private means of access fall outside the scope of the Local Highways Authority and any encroachment onto this right of way would be a civil matter between the parties involved. Therefore, there are no highways impacts upon which the application could be refused in this instance.

Protected trees:

The fence is located adjacent to a group Tree Preservation Order (ID G4-L3) and 2no. Individual TPOs (T23-L3 and T27-L3). The Council's Arboricultural Officer has been consulted and has raised no objection to the fencing, stating that no trees appear to have been affected by the erection of the fence. The Arboricultural Officer has also advised that the use of ivy /greening plants as a screen would be preferable to the existing appearance of the fence.

Ecology:

The Greater Manchester Ecology Unit (GMEU) has been consulted and raised no objection to the fencing. The main issue raised is the following: "The fence line appears to have a number of gaps, because the unevenness of the ground that will enable small mammals to pass under the fence, there may however be the potential to enhance permeability for

Officer Report Document date 01/06/2021 15:25

species such as hedgehog through digging out at selected spots under the fence line". GMEU has no objection to the use of ivy as a cover for the fence - it is appropriate to the location and would benefit wildlife.

Other considerations

The following considerations have been raised by the applicant within their supporting statement as a case for very special circumstances, and briefly summarised below:

- o There is no natural surveillance due to isolated location - a right to protect and secure the boundary (previously encountered an Arson attack);
- o Fostering children at the property - need robust boundary treatment;
- o A lawful development certificate was recently approved for a 1m high fence. The overall impact to Hodge Lane by reducing the fence from 1.8m to 1m will only be marginally different to the current situation, should it be implemented;
- o Reduced visual impact of the fence - to be treated and covered with appropriate green landscaping;
- o Enhance ecology and biodiversity;
- o Under permitted development entitlement can erect a 2m fence (so that it is not adjacent to the highway) having a greater detrimental effect on the character of the area given that the land is higher;
- o Other development elsewhere in the borough more harmful;

Should the application fail, there is reasonable prospect that the fence approved under the recent application for a lawful development certificate will be built (20/00703/CPUD) and/or a 2m high fence built in a location which does not require planning permission (i.e. not adjacent to a highway). Consequently, these matters represent a viable fallback position. However, the degree of weight to be given to the fallback position depends on whether or not the fallback position would be equally or more harmful than the scheme proposed.

A 1m high fence differs from the application proposal in that the overall height of the fence would be significantly lower (nearly half the size). Although spatially the impact of the proposal would be the same (footprint), visually, the impact on openness would be significantly less. Alternatively, should the applicant re-position the fence a greater distance back from the highway, as suggested, this would reduce the prominence and dominance of the fence along Hodge Lane creating a greater sense of openness to this section of the highway.

In contrast, the current proposal would still tightly enclose Hodge Lane at a height of around 2m (due to ground levels) appearing more dominant and prominent. The green wood stain colour would to a limited extent help soften the visual appearance of the unauthorised fence. However, it is considered that in the absence of a sufficient margin between the highway and the fence, the proposed planting/vegetation would further enclose this section of the road of detriment to the openness of the Green Belt - with also limited regard to users of the highway (further narrowing of the road). For these reasons, the proposal would have a greater impact on openness. Consequently, the current proposal would cause greater harm to the Green Belt than the fallback position. For the above reasons considered cumulatively, the fallback position carried limited weight in support of the proposal.

The proposed soft landscaping would offer some benefits to wildlife resulting in an environmental benefit. However, such benefits are very limited and as such this carries very limited weight in support of the application.

The applicant references other development elsewhere in the Borough which Officers acknowledge. However, each case is assessed on its own merits.

The personal circumstances of the applicant are also acknowledged which include the improved security of the dwelling. However, personal circumstances will seldom outweigh

Officer Report Document date 01/06/2021 15:25

more general planning considerations, and the matters raised in this instance do not attract sufficient weight in planning terms to override the severity of the harm that would arise as identified in this report.

Conclusion:

In summary, the fence represents inappropriate development within the Green Belt, which is by definition harmful and should not be approved except in very special circumstances. In this case harm is caused to the openness of the Green Belt by the height, length, and appearance of the fence, and therefore conflicts with the aims and objectives of Green Belt policy. No very special circumstances are considered to exist which clearly outweigh the harm caused to the Green Belt by reason of inappropriateness. Other harm arises from the location where the fencing fails to integrate sympathetically with the established local character which is influenced by the woodland setting, natural stone walls and being adjacent to the approach to Grade II listed buildings. As such, the fence is considered to be contrary to the identified policy requirements set out in the Unitary Development Plan and National Planning Policy Framework, and is recommended for refusal.

Recommendation

This recommendation is made following careful consideration of all the issues raised through the application process. In this case the recommendation is to REFUSE planning permission.



Press Notice Document date 01/06/2021 15:25

Site Notice Document date 01/06/2021 15:25



NOTICE OF APPLICATION FOR PLANNING PERMISSION

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

Planning (Listed Buildings and Conservation Areas) Act 1990

NOTICE UNDER ARTICLE 15(5)

**ADVERTISEMENT OF AN APPLICATION AFFECTING THE SETTING OF A LISTED
BUILDING**

Proposed development at: Hodge Manor Hodge Lane Broadbottom Tameside SK14 6BW

I give notice that: Mr Richard Gibson

is applying to Tameside Metropolitan Borough Council for permission for:

**Erection of 1.8 metre high timber boundary fence structure including proposed coverage
with green landscape treatment planting - Part Retrospective**

The Council considers that this development would affect the setting of a Listed Building.

You may inspect the application, plans and other documents submitted on-line at <http://publicaccess.tameside.gov.uk/online-applications/>. Please enter the reference number: 21/00128/FUL in the search form. You can also submit comments on line. Alternatively, if you do not have internet access at home you may inspect the application at the following locations:

Council Offices, Tameside One, Market Place, Ashton-under-Lyne, OL6 6BH: Mon, Tues & Wed 8.30am-5pm, Thurs 8.30am-4.30pm, Fri 8.30am-4pm

Hyde Library, Hyde Town Hall, Greenfield Street, SK14 1AL: Mon, Tues & Fri 9am-1pm, Wed 1pm-5pm, Sat 10am-3pm

Hattersley Library, The Hub, Stockport Road, SK14 6NT: Mon, Tues & Thurs 1pm-5pm

Stalybridge Library, Trinity Street, SK15 2BN: Mon & Tues 9am-1pm, Wed 1pm-5pm, Sat 10am-3pm

If you have any comments to make on planning issues please submit them online via the above website, write to Planning Department, Tameside MBC, PO Box 304, Ashton Under Lyne, Tameside, OL6 0GA or email planningmail@tameside.gov.uk within 21 days of the date of this notice quoting reference: 21/00128/FUL.

Martyn Leigh, Development Manager - On behalf of Tameside MBC

Dated:

Tree Officer Comments Document date 01/06/2021 15:25

Planning Consultation Response

**From: Tony Hill: Arboricultural and Countryside
Estates Officer**

To: Planning (Development Management)
Miss Anna Hayes

When calling please ask for: Tony Hill

Date: 25/02/21
Ext:
E-mail: tony.hill@tameside.gov.uk

Development: Erection of 1.8m timber boundary fence.
Address: Hodge Manor, Hodge Lane, Broadbottom.
Applicant: Mr Richard Gibson.
Application No: 21/00128/FUL

Comments

The fence is in situ and as only post holes have been excavated any impact on trees and roots will have been minimal.
The use of ivy / greening plants as a screen would be preferable to the existing appearance of the fence.

Recommendation

Validation Sheet Document date 01/06/2021 15:25

CHECK LIST FOR HOUSE EXTENSIONS

DATE APPLICATION RECEIVED:	02.02.21	APP. NO.*	21/00128/FUL	FUL
SITE LOCATION:	Hodge Manor, Hodge Lane, SK14 6BW			
PLANNING OFFICER:				
DATE APPLICATION VALID:	02.02.21			

A. Application Forms	
Have the correct application forms been completed satisfactorily?	YES
- Correct certification (A/B etc)? Note: for example, overhanging eaves can mean a 'certificate B' is a requirement.	
Is the proposed development adequately described in UNIFORM? (refer to 'descriptions – householder applications' guidance sheet)	YES
B. Fees	
Has planning fee been received (£206)?	NO
If not, is this a re-submission within 12-months of a previous paid application?	NO
If not have 'permitted development' rights been removed? If YES – Refer to Planning Officer	NO
Type of Payment and Date Received (Cash, Cheque, Credit or Debit Card)	Date Received Resubmission
C. DRAWINGS	
Are drawings/details adequate?	YES
Is there a red edged site plan enclosed? (north arrow, two road names? 1:1250/1:2500?, red-line to include up to 'public highway'? – refer to NPPG 'making an application') (note – where necessary check planweb/GIS for 'adopted highways' boundary)	YES
Are the drawings scaled (1:50 or 1:100)?	YES
Are there existing floor plans and elevations?	YES
Are there proposed floor plans and elevations?	YES
D. Planweb Checks	
Please indicate which WARD and PARISH the development site is in:	
WARD: Longdendale	
PARISH: Longdendale	
Is the property a Listed Building? If YES – Refer to Planning Officer	NO
Is the house within a Conservation Area? If yes, which one?	NO
Conservation Area:	
<i>*Please check with Planning Officer if application requires advertising</i>	
Is the site within a flood zone? If YES which Flood Zone:	NO
Flood Zone (1 in a 100 or 1 in a 1000).	

Validation Sheet Document date 01/06/2021 15:25

	Is the site within a Coal Referral Area?	NO
	Will the development affect a protected tree (TPO/Conservation Area)? If so, consult Tony Hill (Trees) (please liaise with planner if unsure)	YES
	Does the development affect a Right of Way (i.e. intersection with/access to ROW) Path Number:	NO
E.	CONSULTATIONS (TO BE EMAILED)	
	Councillors?	NO
	PLEASE CONSULT ALL DROYLSDEN WEST COUNCILLORS FOR HOUSEHOLDER APPLICATIONS IN THAT WARD.	
	Engineers Division (Chris Bird)	NO
x	Special Projects – Trees (Tony Hill)	YES
	Spec Project–Conservation (Catherine Jones)	NO
	Special Projects – Design (Stuart Wiltshire)	NO
	LLFA – Lead Local Floor Authority	NO
	Network Rail	NO
	British Waterways	NO
	Environment Agency	NO
	Werneth Low Country Park Management Committee	NO
	Hyde War Memorial Trust	NO
	Werneth Low Residents Association	NO
	Mossley Parish Council	NO
	Democratic Services	NO
	Housing Strategy (Jack Gould)	NO
	Contaminated Land (Jill Griffin & Andrew Taylor)	NO
	Any Others (e.g adj local authority, please list below)	
F.	Neighbours (indicate on Printed Neighbours Map - from PlanWeb, note Statement of Community Involvement for 'adjacent land' and where ownership of adjacent land is not clear (Check TMBC owned land via planweb) – General Interest (GIN) site notice is required):	
	Consult same neighbours as 18/00980/FUL	
	Consult Estates regarding council owned property	
	Consult Ecology unit	
	Consult High Peak	
	Consult CONOFF	
	GIN and SLB Site Notice required	
H.	Uniform code	Q21
I.	Is the Application and drawings showing on the website:	YES/NO