

Application Number:	WD/D/21/000089
Site address:	Lyme Regis Golf Club Timber Hill Lyme Regis Dorset DT7 3HQ
Proposal:	Erection of a fence
Applicant name:	Mr Goff
Case Officer:	Emma Telford
Ward Member(s):	Cllr Christopher

1.0 This application has been referred to planning committee as it has been submitted on behalf of the Council.

2.0 Summary of recommendation:

Grant, subject to conditions.

3.0 Reason for the recommendation:

- The proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The erection of a fence is considered acceptable.
Visual Amenity, the Area of Outstanding Natural Beauty and Heritage Coast	It would not have a significant adverse impact on the visual amenities of the site nor would it harm the character, special qualities or natural beauty of the Dorset AONB or the Heritage Coast.
Residential Amenity	It would not have significant adverse impact on the living conditions of occupiers of residential properties.
Highway Safety	It is not considered to compromise road safety.
Land Instability	It is not considered to impact on the stability of the area.

5.0 Description of Site

The application site is within the existing Lyme Regis golf club, on the north-east boundary. To the north of the site is the coppice and to the south the golf course. The application property is located outside of a defined development boundary, it is

within the area of outstanding natural beauty and heritage coast. The site is also located within a slope instability zone.

6.0 Description of Development

The proposal is for the erection of a fence, the fence would be positioned 2m from the site boundary and would be 106m long. It would be located between the golf course and the new England Coast Path to comply with the health and safety to stop stray golf balls from hitting users of the path. The fence would be chain link in a dark green colour and would be 2.45m high.

7.0 Relevant Planning History

WD/D/18/000856 – Erection of fence – Granted – 18/06/2018

8.0 List of Constraints

Outside of the DDB

Heritage Coast

Area of Outstanding Natural Beauty: (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Slope Instability Zone

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

- 1. Natural England** – No comments to make on this application.
- 2. Dorset AONB Partnership** - The proposed fence is required to facilitate an improved routing of the Coast Path. Furthermore, I note that a similar fence has previously been approved by the local authority in the same location. The latest application amends the design of the fence and again proposes this be coloured green. Overall, I can see no grounds for objecting to the proposal, given the wider objectives which it will serve. Concerning the proposed colour, I would suggest that a dark green colour may be suitable. Whereas the last application was amended to be coloured black, I have some concerns that the relatively close spacing of the mesh may result in this colour being quite perceptible, contrasting with the surrounding golf course and woodland. Black, or dark grey, is often preferred where a structure is relatively visually permeable and is seen in the distance, helping it to blend into the background. However, on this occasion, the users of the coast path will commonly not be viewing the fence from a distance and users of the golf course will see the fence with a foreground of the fairway and a backdrop of woodland, making dark green a more favourable option, in my opinion.
- 3. Charmouth Parish Council** – No objection as this is seen as a worthwhile provision on the grounds of safety to the public.
- 4. Lyme Regis Town Council** - It was recommended that this application be approved as there were no planning reasons to warrant its objection.

Representations received

No third party comments were received in response to the application.

10.0 Relevant Policies

West Dorset, Weymouth & Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest

ENV 7 – Coastal Erosion and Land Instability

ENV 10 – The Landscape and Townscape Setting

ENV 16 – Amenity

SUS 2 Distribution of Development

National Planning Policy Framework

2 . Achieving sustainable development

4 . Decision-making

15 . Conserving and enhancing the natural environment

Other material considerations

Design and Sustainable Development Planning Guidelines (2009)

Dorset Area of Outstanding Natural Beauty: A Framework for the Future AONB

Management Plan 2014 – 2019

West Dorset Landscape Character Assessment 2009

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

13.0 Financial benefits

None.

14.0 Planning Assessment

Principle of development

The proposal involves the erection of a 106m long fence between the existing golf course and the new footpath to comply with the health and safety implications of the new England Coast path. A fence was approved under the application WD/D/18/000856 in the same location however the current application amends the design and size of the fence.

Visual Amenity, Area of Outstanding Natural Beauty (AONB) and Heritage Coast

The application site is located within the AONB and Heritage Coast. The proposal is for the erection of a fence that would be 106m long. The proposed fence would be viewed in the context of the golf course and would have the backdrop of the trees to the north. A similar fence was approved under the application WD/D/18/000856 in the same location but of a different design. The AONB Landscape Planning Officer was consulted on the application and held no objections given the wider objectives which it will serve. In relation to the colour of the fence the AONB Landscape Officer set out that the users of the coast path will commonly not be viewing the fence from a distance and users of the golf course would see the fence with a foreground of the fairway and a backdrop of woodland making a dark green a more favourable option. In response to these comments the applicant set out that the fence would be in the colour RAL 6005 – Moss Green, a dark green colour. A condition would be placed on any approval granted to be carried out in a dark green colour. The proposed fence would not have a significant adverse impact on the visual amenities of the site nor would it harm the character, special qualities or natural beauty of the Dorset AONB or the Heritage Coast.

Residential Amenity

The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties. The proposal is for the erection of a 106m long fence along the boundary of the golf course and is considered to be located sufficient distance away from neighbouring properties.

Highway Safety

The proposal involves the erection of a 106m long fence between the existing golf course and the new footpath and is not considered to compromise road safety.

Land Instability

The application site is located within land instability zones 2 and 3. However, the proposal involves the erection of a fence and therefore is not considered to impact on the stability of the area.

15.0 Conclusion

The application involves the erection of a fence between the golf course and the new footpath. It is considered that the proposal has an acceptable impact on the area of outstanding natural beauty, heritage coast, neighbouring amenity, highway safety and land stability.

16.0 Recommendation

Grant, subject to conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan 1 received 13/01/2021

Location Plan 2 received 13/01/2021

Block Plan Scale 1:500 received 13/01/2021

Proposed Elevation & Cross Section Plan received 13/01/2021

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) The fence hereby approved shall be finished in a dark green colour.

Reason: In the interest of visual amenity.