The Planning Inspectorate

Appeal Decision

Site visit made on 24 June 2016

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 June 2016

Appeal Ref: APP/A2525/D/16/3147673
8 Osier Road, Spalding, PE11 1UU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Agnieszka Lukaszewicz against the decision of South Holland District Council.
- The application Ref H16-0062-16 dated 12 January 2016 was refused by notice dated 1 March 2016.
- The development proposed is described as 'replace hedge for wooden fence panel, remove old hedge and replace old wooden panel for new ones'.

Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, the fence had been erected. I note from the information before me that a fence existed previously, which was replaced by the appeal development. This required planning permission and an application was submitted to the Local Planning Authority. This appeal follows the refusal of permission and I have considered this appeal as relating to an application for retrospective planning permission.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site is a detached property, which is located on the corner of Osier Road and Rutland Close. The surrounding area in the vicinity of the site is characterised by similar properties, many of which have a gable front design and which are set back behind gardens and parking areas. The frontages to properties are also predominantly formed of low and open boundary treatments, some of which consist of vegetation, which gives this residential area a green and spacious appearance.

5. The subject fence is predominantly of a close-boarded timber construction of around 2.1m in height with concrete base panels and posts. At the time of my visit, I was able to see those elements of the fence that were visible from the

public domain were positioned on the boundary along Rutland Close and partially along Osier Road before returning to meet the host building, broadly in line with its side elevation. The height and the solid form of the fence gives it a stark and obtrusive appearance in the streetscene, which is at odds with the predominately low and open character of the boundary treatments in the area. I appreciate the now removed hedging may have been higher than the new fence, but it would have had a softer appearance. Given the height of the boundary hedge, it would also have largely screened the previous fence, which has been replaced.

6. I therefore conclude that the development has an unacceptable adverse effect on the character and appearance of the area and is contrary to Policy SG14 of the South Holland Local Plan, which requires, amongst other matters, for developments to makes a positive contribution to the visual quality of its surroundings. It would also conflict with Section 7 of the National Planning Policy Framework, which requires high quality design.

7. I note the appellant states that they have replaced the fence, due to its age and condition and that following this change the hedge was removed, which was causing a hindrance to pedestrians due to overhanging the pavement. Security and littering concerns have also been raised. Nevertheless, whilst I sympathise with the appellant, these factors do not justify the harm has been caused to the character and appearance of the area.

8. Reference has been made to other fences in the area. I am not however aware of the full considerations that were taken into account when (and if) they were permitted. Moreover, each application and appeal falls to be considered on its own merits.

Conclusion

9. For the reasons given above and having considered all other matters raised, including that the proposal does not affect the visibility of drivers, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR