
Appeal Decision

Site visit made on 19 October 2016

by J F Powis BA (Hons) MSc MRTPI

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

Decision date: 21 November 2016

Appeal Ref: APP/G1250/D/16/3157134

2 Wollstonecraft Road, Bournemouth, Dorset BH5 1JQ

- 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 Mr S Manby against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-2474-AE, dated 3 June 2016, was refused by notice dated 26 July 2016.
 - The development proposed is replacement fencing and relocated gate positions.
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Decision

1. The appeal is allowed and planning permission is granted for replacement fencing and relocated gate positions at 2 Wollstonecraft Road, Bournemouth, Dorset BH5 1JQ in accordance with the terms of the application, Ref 7-2016-2474-AE, dated 3 June 2016.

Preliminary matters

2. The application was made retrospectively and I note from the application form that the development was completed in March 2016. At the time of my visit, the proposed fencing and gates were installed on the appeal site.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the Boscombe Manor Conservation Area.

Reasons

4. The appeal property is an expansive detached villa dating from the early 1900s. The site is a corner plot, bounded by Wollstonecraft Road along its western edge and Percy Road along its northern edge. The site sits within the Boscombe Manor Conservation Area, which is a predominantly residential area consisting mainly of large detached properties of rich architectural and historical interest. In determining this appeal, I have paid special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area, which is a designated heritage asset, and my statutory duties¹ in this regard.
5. The appeal development is close board timber fencing of approximately 1.8m in height running along the length of the boundary of the site with Wollstonecraft Road and Percy Road. The application form indicates that the site was

¹ Under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

previously bounded by timber fencing of approximately 1m in height with planting behind. The appellant submits that the property has recently been converted from a hotel to a single residential dwelling and that the higher fencing is intended to provide a private, safe and secure garden for use by his young family.

6. I saw during my visit the unusual orientation of the house, with the main elevation facing south, away from Percy Road. As a result, the front elevation of the house looks over its main garden area and the side boundary of the main garden runs along Wollstonecraft Road. In these circumstances, I have some sympathy with the appellant's case that some form of enclosure is necessary to create a private garden area for the house.
7. Front boundary treatments in the area surrounding the appeal site are mixed in style, ranging from low brick walls to modest walls topped with fencing and hedging or fencing of considerable height. The appellant has drawn my attention to a number of examples of front boundary treatments of a comparable height to the appeal fencing in the surrounding Conservation Area, including at 26 Percy Road, which is located at close range to the north east of the appeal site. This was consistent with what I saw on my visit.
8. I also noted the presence of close board fencing combined with low walls or hedging in nearby corner locations such as at the junction of Percy Road with Wilfred Road and Byron Road. In this context, I do not consider that the height or style of the fence is at odds with typical front boundary treatments in the vicinity of the site that form part of the established character of the area.
9. The Council has expressed concern that the height of the fence could create a 'fortress effect', referring to guidance at paragraph 3.9 of its document 'Residential Extensions: a design guide for householders' (adopted September 2008). I note, however, that the guidance describes such an effect being created where the height of a front boundary treatment is such that the front of the property cannot be seen from the street. The appeal property in this case is of a very substantial scale and sits at close proximity to both Percy Road and Wollstonecraft Road. Clear views of the house above the fence are possible from public viewpoints along both roads. Therefore in light of the scale of the appeal property and those surrounding it, I do not consider that the fencing gives rise to a fortress effect when viewed from the surrounding roads.
10. I acknowledge that the fencing in this case is more extensive than for many nearby properties. This is due to the larger than average size of the appeal site and its corner location but I do not consider this in itself to be harmful. I also note that the fence in place on the appeal site is recently installed and at the time of my visit had an unstained finish resulting in a relatively light colour compared to the majority of wooden fencing nearby. I am satisfied, however, that its colour will become more muted over time as the timber is exposed to the elements.
11. Having regard to all of these matters, I conclude that the appeal development causes no harm to the character and appearance of the Boscombe Manor Conservation Area and as such its significance as a designated heritage asset is preserved.

12. Consequently, the proposal complies with Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (adopted October 2012) and saved Policy 4.4 of the Bournemouth District Wide Local Plan (adopted February 2002), which together seek high quality design that protects the character and appearance of Conservation Areas. I also find no conflict with paragraphs 64, 131 or 134 of the National Planning Policy Framework, which require new development to preserve or enhance the significance of designated heritage assets, or section 3.9 of the Council's guidance entitled 'Residential Extensions: a design guide for householders' which deals with front boundary treatments.

Conditions

13. The Council has suggested that the standard time limit condition and a condition specifying the relevant drawing should be attached to any permission for the appeal development. However, the development has already been carried out and I am satisfied that the fencing and gates evident on site accurately reflect the design and layout specified in the application drawing reference 'Boundary Fence Plan 001A'. I therefore consider that in the circumstances it would not be necessary to impose these conditions.
14. The Council has also suggested a condition to require that the fencing and gates are stained to give them a darker finish consistent with the existing fencing along the shared boundary with 4 Wollstonecraft Road. For the reasons given in paragraph 10 above, I do not consider that this condition would be necessary.

Conclusions

15. For the reasons given above I conclude that the appeal should be allowed.

J F Powis

INSPECTOR