
Appeal Decision

Site visit made on 8 November 2016

by Alexander Walker MPlan MRTPI

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

Decision date: 22 November 2016

Appeal Ref: APP/P4225/W/16/3156400

19 Eskdale Avenue, Rochdale, Lancashire OL11 3JX

- 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 Paul Wood against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 15/01050/FUL, dated 11 October 2015, was refused by notice dated 9 June 2016.
 - The development proposed is the erection of a 1.6m fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 1.6m fence at 19 Eskdale Avenue, Rochdale, Lancashire OL11 3JX in accordance with the terms of the application, Ref 15/01050/FUL, dated 11 October 2015, and the plans submitted with it.

Procedural Matters

2. At the time of my site visit the proposed fence had been erected. Therefore, the proposal seeks its retention. Accordingly, I have determined the appeal on this basis.
3. Following the determination of the planning application, the Council has adopted the Rochdale Core Strategy (CS) 2013 on 19th October 2016. Accordingly, saved Policies G/BE/1 and BE/2 of the Rochdale Unitary Development Plan (UDP) have been replaced by policies within the CS and therefore no longer carry any weight.

Main Issue

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

Reasons

5. Eskdale Avenue primarily comprises residential properties and forms part of a wider, well established residential area. The area is characterised by semi-detached, two-storey dwellings that share a common architectural theme. Properties are generally set back from the road and have small gardens and driveways to the front. Front boundary treatments with the highway include close boarded and concrete panel fencing and metal railings. Some properties remain open. Although there are a number of higher boundary treatments, these are generally to the side and rear of properties.
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6. Generally, the low height of the front boundaries, which, in addition to the set back position of the buildings and the wide streets and footways, makes a positive contribute to the overall openness of the area.
7. The appeal property is located on the corner of Eskdale Avenue and Borrowdale Drive. The Council confirm that prior to the erection of the fence the land to the side of the property was an open grassed area, similar to that adjacent to No 17 Eskdale Avenue. An area of grassed area between the front building line of the property and Eskdale Avenue remains, although I noted during my site visit that there were a number of timber posts around the perimeter of the land. Nevertheless, prior to the erection of the fence, the openness of the site would have made a positive contribution to the overall openness of the area.
8. However, as the 1.6m high fence does not extend beyond the front building line of the appeal property, when viewed along Eskdale Avenue, the frontage of the property remains relatively open. Although the presence of the built form has inevitably resulted in the loss of some openness, I do not find that this loss significantly harms the overall openness of the area. The open grassed area adjacent to No 17 Eskdale Avenue retains a sense of openness, particularly when entering Borrowdale Drive off the Avenue.
9. I also note that similar development has been carried out on other corner plots in the locality, including Nos 11 and 37 Eskdale Avenue. The appellant states that these benefit from planning permission, which the Council have not disputed. Therefore, as there is similar development within the locality, the fence does not introduce an incongruous feature in the streetscene.
10. I find therefore that the fence does not significantly harm the character and appearance of the area. As such, it complies with Policy P3 of the CS, which, amongst other things, seeks to ensure that new development adheres to a high standard of design. Furthermore, it would accord with the design objectives of the National Planning Policy Framework.
11. The Council state that as the submission was made retrospectively conditions are not necessary. Based on the evidence before me I find no reason to disagree.

Conclusion

12. For the reasons given above, having regard to all matters raised, the appeal is allowed.

Alexander Walker

INSPECTOR