
Appeal Decision

Site visit made on 14 November 2016

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 22 November 2016

Appeal Ref: APP/R0335/D/16/3157822

26 Cheshire Park, Warfield, Bracknell, RG42 3XA

- 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 Mrs Amanda Grech against the decision of Bracknell Forest Borough Council.
 - The application Ref 16/00484/FUL/RFULZ, dated 10 May 2016, was refused by notice dated 14 July 2016.
 - The development proposed is erection of 1M high wooden fence to front.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. As part of the appellant's appeal submission, revised drawings/photos have been provided. These seek to alter the scheme by locating the proposed fencing behind the existing beech trees along the site boundary. However, the Council and interested parties have not had the opportunity to consider such a proposal. I am also mindful that the *Procedural Guide – Planning Appeals – England* advises that: 'If an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal they should normally make a fresh planning application' (Annexe M.1.1). Further, if an appeal is made, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought (Annexe M.2.1). I am of the view that the Council and interested parties would be prejudiced if I accepted and determined the appeal in accordance with the revised drawings/photos. I have therefore considered the scheme on the basis that it was determined by the Council.

Main Issue

3. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is located on Cheshire Park and accommodates a large detached dwelling, which sits on a prominent corner location on the junction with County Lane. The wider area is residential and consists of largely detached dwellings. The proposal seeks to remove the existing beech trees
-

along the northern and eastern boundary of the appeal site and erect a 1 metre high fence. It is proposed that evergreen planting would be provided behind the fence. The fence would extend some 10 metres along the northern boundary facing onto County Lane and 16 metres along the eastern boundary facing onto Cheshire Park. The fence would comprise of panels, with horizontal timber boarding and would be painted cedar red.

5. It was evident from my site visit that there are limited, if any, existing examples of timber fencing to the frontage of residential properties along County Lane or within Cheshire Park and Lincolnshire Gardens. The proposed fencing would therefore be a very noticeable discordant feature within the street scene. This would be exacerbated by the significant length of the fencing. These factors along with the prominent corner position of the appeal site would result in a visually intrusive development and would be out of keeping with its local context. The loss of the existing beech trees, which I agree with the Council make a positive visual contribution to the area, would also be detrimental to the character and appearance of the area. I accept that additional planting is proposed, but this would take some time to establish and would nonetheless be located inside of the fence.
6. For these reasons, I consider that the scheme would cause demonstrable harm to the character and appearance of the area. It therefore conflicts with Saved Policy EN20 of the Bracknell Forest Borough Local Plan (2002) and Policy CS7 of the Bracknell Forest Borough Core Strategy (2008). In summary, these policies seek to ensure that new development is sympathetic to its surroundings, is appropriate in terms of scale, mass, design and materials and is of high quality design. I also consider that the proposal runs contrary to Section 7 of the National Planning Policy Framework, which seeks to deliver good design.

Other matters

7. I acknowledge the reason for the proposal, to ensure that the garden is secure for the appellant's two young children and dogs. However, I am not of the view that this is sufficient to outweigh the demonstrable harm that I have identified above.

Conclusion

8. For the reasons set out above and having regard to all other matters raised, there are no material considerations that outweigh the identified harm and associated development plan conflict, the appeal is therefore dismissed.

Jonathan Manning

INSPECTOR