

Appeal Decision

Site visit made on 4 January 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 11 January 2017

Appeal Ref: APP/D1590/D/16/3163101

267 Prittlewell Chase, WESTCLIFF-ON-SEA, Essex, SS0 0PW

- 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 Marina Pride against the decision of Southend-on-Sea Borough Council.
 - The application Ref. 16/01029/FULH was refused by notice dated 25 August 2016.
 - The development proposed is erection of wooden "picket" style fencing approximately 900mm high attached to rear of and extending above the top of existing brick wall to south and west elevations of the front of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene and wider area.

Reasons

3. The appeal site is located on a corner site at the junction of Prittlewell Chase and Westbourne Grove, both of which are busy roads. There are pedestrian crossings outside of the site on both road frontages. The front garden of the appeal site is mostly paved for vehicle parking and is enclosed by a brick wall and a pair of five-bar gates. White-painted "picket" style fencing has been constructed above the wall, and it is this which is the subject of the appeal.
4. The streetscene is characterised by dwellings set back from the highway behind frontages which are generally enclosed by low walls, fences and/or planting. Despite the urban context, this planting has a softening effect on the more solid enclosures and contributes to the character and appearance of the area. Although taller and more solid enclosures are evident on return frontages to screen rear gardens, the prevailing pattern in the streetscene is that of more open front gardens. Paragraph 155 of the Council's adopted Design and Townscape Guide¹ (SPD1) advises that boundary treatment is often a key element of local character, and this reinforces Policy DM1 of the Development Management Document 2015 (DMD), which seeks good quality design that adds

¹ Southend on Sea Supplementary Planning Document 1 Design and Townscape Guide 2009

to the quality of the area and respects the character of the site, its local context and surroundings.

5. In this context, the introduction of the picket-style fencing above the existing wall at the appeal site appears as an incongruous feature in the streetscene. Whilst I do not share the Council's view that it is over-bearing, it nevertheless appears unduly prominent and at odds with the more verdant and open frontages in the vicinity.
6. The appellant advises that the fencing was installed for reasons of privacy, security and wellbeing. However, most significant views towards the front of the dwelling are gained through the wide gateway, and as such the visual intrusion arising from the fencing is not outweighed by any screening benefits. I do not doubt that the fence provides some deterrent to trespassers, but it is not evident that the same effect could not be obtained through more sympathetic measures. Although the appellant indicates that trees and hedges planted in place of the fencing would be more dominant, soft planting is a feature of the streetscene and contributes to its character and appearance. Whilst I appreciate that the appellant's wellbeing may be enhanced by the fencing, this must be balanced against the impact on the street scene and the wider area.
7. The appellant refers to many instances locally where close-boarded fences have been erected, but none have specifically been identified. In the absence of any comparable developments in the vicinity of the appeal site, this factor offers limited support to the appeal proposal. In addition, whilst the appellant advises that complements were made by passers-by when the work was being undertaken, such support would not outweigh the harm identified.
8. I note the appellant's suggested compromise of a height reduction and widening of the gaps between the fence pickets. However, revised plans have not been submitted as part of this appeal, and as the alterations would significantly change the development they could not reasonably be addressed through a planning condition.
9. I therefore conclude that the fencing is detrimental to the character and appearance of the street scene and wider area, in conflict with the design aims of the National Planning Policy Framework (the Framework), DMD Policy DM1, the SPD1, and Policies CP4 and KP2 of the Southend on Sea Core Strategy 2007, which seek amongst other criteria to maintain and enhance the appeal and character of residential areas, and to respect the character of the existing neighbourhood.
10. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design, but for the reasons given above the development would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that the appeal should be dismissed.

H Lock

INSPECTOR