

Appeal Decision

Site visit made on 5 January 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date: 23rd January 2017

Appeal Ref: APP/M1595/D/16/3160590

24 Davis Road, Chafford Hundred, Grays, RM16 6PT

- 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 Simon Taylor against the decision of Thurrock Borough Council.
 - The application Ref 16/00420/HHA dated 18 March 2016, was refused by notice dated 7 July 2016
 - The development proposed is '*3 x metal poles and two pieces of fencing between the two drives.*'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant's description is largely a narrative as to the reasons why the fence at issue was erected. As such, I have shortened the description to focus on the actual development involved. Although the fence is already in situ, in reaching my decision, I have assessed the development as though it was a proposal.

Main Issue

3. The main issue in this appeal is the development's effect on the character and appearance of the surrounding area.

Reasons

4. The fencing at issue has been erected to sub-divide the driveway which facilitates access to two individual single width domestic garages set within a block, one serving the appellant's dwelling and the other, a neighbouring property. In its context, from my site visit, I found the metal fencing rather unsightly in appearance, although I note the appellant's reasons for erecting it.
 5. The appellant mentions that frequent anti-social behaviour from children has necessitated the fence so that his car can be protected from damage by children's bicycles and footballs. Photographs have been supplied which would indicate as such, and I have had regard to these. There is a grassed area to the side of the garage and the fence could act as a physical barrier to balls potentially hitting the car.
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6. Although the appellant indicates that the fence has been positioned so that the adjacent garage's user has effectively now a driveway several inches wider than that available to the appellant the neighbour has made representations which suggest that the fence is actually an inconvenience. The comments made indicate that access to and from the garage is impeded as is the ability of the neighbour to satisfactorily open his car's doors on the side facing the fencing.
7. The Council's primary concern is its consideration that the fence's design and appearance has a detrimental impact on the character of the immediate locality. Although the appellant disagrees and mentions that the fence is see-through so as to lessen its impact I am inclined, on balance, to take the contrary view. Whilst accepting the fence's purpose I consider that any such benefits to the appellant are outweighed by its appearance given that it does not represent high quality design with its positioning failing to respond to or respect its setting. Taken together, this prominent and incongruous structure clearly detracts from its surroundings and, further, as a consequence, has apparently caused inconvenience to the user of the adjacent garage.
8. I thereby conclude that the development is harmful to the character and appearance of the surrounding area and is in material conflict with the aims and requirements of Policies PMD2 and CSTP22 of the Thurrock Local Development Core Strategy and Policies for Management of Development.
9. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR