

Appeal Decision

Site visit made on 14 February 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 22nd February 2017

Appeal Ref: APP/L2440/D/16/3167419

24 Knighton Grange Road, Oadby, Leicester, LE2 2LE

- 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 Gohil against the decision of Oadby and Wigston Borough Council.
 - The application Ref 16/00279/FUL, dated 7 June 2016, was refused by notice dated 2 August 2017.
 - The development proposed is 2.2m high boundary fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character or appearance of the Oadby Hill Top and Meadowcourt Conservation Area.

Reasons

3. No 24 Knighton Grange Road is located within the Oadby Hill Top and Meadowcourt Conservation Area (CA). The Conservation Area Appraisal (CAA) identifies the character of the CA as an area of housing developed for rich industrialists of Leicester. Dwellings are generally individual in their design, although they do reflect the architectural fashions of the 19th and early 20th centuries and are reflective of the wealth and stature of their original owners.
 4. Knighton Grange Road forms a long, wide and straight avenue, which is tree-lined and flanked by a series of fine large detached dwellings, dating in the main from the early 20th century. Properties here are set behind and screened by tall and dense hedgerows, trees, boundary railings and walls. In spite of a mix of boundary treatments within the area, the street scene is attractive and as noted within the CAA, the impression of a green boundary to the street is retained by the hedges and trees. Therefore, I consider that the area has an attractive and green character.
 5. The appeal property, No 24, is a substantial detached dwelling, set in large grounds with mature vegetation of tree planting. A substantial and tall hedgerow forms the front boundary with Knighton Grange Road. I therefore consider that the appeal property positively contributes to the character of the CA.
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6. The proposed 2.2m high close boarded fence would incorporate concrete posts and kickboards, and would be located to the front boundary of the site. The existing hedgerow would be retained behind the proposed fence.
7. Due to its height and solid design, the proposed fence would result in a large and conspicuous area of solid and blank frontage which would create a sense of hostility. It would effectively mask and diminish the soft and verdant character of the existing hedgerow and represent an intrusive and visually harmful addition to No 24.
8. The development would also be visible in the long views which are currently gained along Knighton Court Road and the proposed fence would therefore be a particularly prominent and dominant feature within the street scene, causing harm.
9. I accept that close boarded fences are found elsewhere within the CA, including a number of examples along Knighton Court Road. However, I am mindful that the CAA specifically highlights the inappropriate and austere nature of high timber fences. At my site visit I was able to see that many of the existing tall timber fences had a dominating impact which has eroded the verdant character of the street scene and therefore confirming the harmful effect of such developments.
10. Moreover, I do not have details of whether consent has been sought for such structures, nor have any details of the planning considerations of each case been provided. I therefore consider that the proposed development would significantly exacerbate existing harm and the presence of close boarded fences elsewhere would not justify the appeal proposal.
11. I therefore conclude that the development would cause harm to the character or appearance of the Oadby Hill Top and Meadowcourt Conservation Area. The proposal would not accord with Policies 14 and 15 of the Oadby and Wigston Core Strategy (2010) which seek to ensure that development is sympathetic to its surroundings and protects and enhances the historic character of the Borough. The development would also fail to accord with Saved Policy L1 of the Oadby and Wigston Local Plan (1999) which requires the design of development to contribute positively to overall environmental quality.
12. Furthermore, in respect of paragraph 134 of the National Planning Policy Framework (the Framework), due to the small-scale nature of the proposal I would judge the harm to the Conservation Area to be less than substantial. While I have had regard to the benefits of improved security and privacy, there is little evidence before me that the property has been subject to crime or anti-social behaviour or that the existing boundary treatment is not effective. In any case, such benefits would also be private. Accordingly, I find that there would be little public benefit to offset the identified harm. The proposed development would not therefore accord with the Framework which seeks to conserve and enhance the historic environment.

Conclusion

13. For the reasons given, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR