

Appeal Decision

Site visit made on 14 March 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 21 March 2017

Appeal Ref: APP/F4410/D/16/3165299

5 Swan Syke Drive, Norton, Doncaster, DN6 9LJ

- 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 Michael Kitchen against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 16/02455/FUL, dated 27 September 2016, was refused by notice dated 22 November 2016.
 - The development proposed is a 1.87m high perimeter fence.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The fence has been erected and therefore I am considering this appeal retrospectively. I was able to see the fence at my visit.

Main Issues

3. The main issues are the effect of the fence upon (i) the character and appearance of the area and (ii) highway safety.

Reasons

4. Swan Syke Drive is a residential street which displays a variety of boundary treatments including those formed by planting, wooden fences and brick walls. The fences and walls tend to be of a dull brown colour. In contrast, the appeal fence is made of bright green Upvc. It is of a substantial length and height and wraps around the corner of the property. Due to its colour, massing and prominent corner position, it is obtrusive and discordant within the street-scene and is out of character with its surroundings.
 5. The fence runs along the length of the neighbouring drive and is too tall for a driver to see over if reversing off the drive. Therefore it blocks views of oncoming vehicles and pedestrians. This is particularly hazardous for small children who are hard to see at the best of times. I appreciate that it is a quiet cul-de-sac where traffic speeds are likely to be low but even at low speeds, accidents can occur. The fact that there was once a hedge in its place does not make the fence any less of a hazard.
 6. I therefore conclude that the fence is harmful to both the character and appearance of the area and to highway safety. Consequently, it conflicts with Policy CS 14 of the Doncaster Council Core Strategy 2011-2028, and ENV54 of the Doncaster Unitary Development Plan, 1998; which in combination seek to achieve ease of pedestrian movement, respect the surroundings, and promote
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local distinctiveness. The National Planning Policy Framework also seeks to reinforce local distinctiveness.

Other Matters

7. I note that the appellant did not realise that planning permission was required but this is not a reason for me to allow the appeal. I appreciate that the fence is made from recycled Upvc which is easy for the appellant to maintain. I note comments that the appellant suffers from ill-health but I have no technical evidence of his health problems and as planning runs with the land rather than the appellant, I give these personal circumstances little weight. There have been no objections to the fence from neighbours and there has been one letter of support but these are not determinative factors.

Conclusion

8. Taking into account the above considerations, I dismiss the appeal.

Siobhan Watson

INSPECTOR