

Appeal Decision

Site visit made on 18 April 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 21st April 2017

Appeal Ref: APP/J3530/D/17/3170465

1 Windiate Court, Kesgrave, Ipswich, Suffolk IP5 2FT

- 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 Peter Holloway against the decision of Suffolk Coastal District Council.
 - The application Ref DC/16/5073/FUL, dated 25 November 2016, was refused by notice dated 26 January 2017.
 - The development proposed is erection of softwood fence to front boundary of house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my site visit I observed that the proposed fence has been constructed.

Main Issue

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

Reasons

4. The appeal site encompasses a detached dwelling that fronts onto Ropes Drive, which is a residential estate road. The area is suburban in character due to the style and composition of the residential estate development. The area has matured over time but the prevailing character of boundary treatment in the locality of the appeal site is a mixture of brick walls and soft landscaping in the form of trees, shrubs and hedging. The planting in the estate is an important component of its character as it softens the street scene and provides visual continuity. Rather than delineating front gardens, brick walls tend to mark the boundaries where rear gardens are separated from the public realm. This is evident at the properties broadly opposite the appeal site as well as those to the west and east, which are either side onto, or back onto, Ropes Drive.
 5. The wall to the west of the appeal site is situated back from the edge of the pavement and behind a belt of landscaping. To the immediate east of the appeal site the frontage is also planted. This creates an attractive belt of landscaping which the proposed fence discordantly interrupts. Moreover, close boarded fencing is not a common means of delineating front gardens from the public realm in the locality of the appeal site and in this respect the appeal scheme appears harmfully incongruous. This is especially so given its timber
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construction, height and its position at the back of the pavement. The proposed fence therefore seriously detracts from the character of the appeal site's surroundings.

6. The fence has a curved detail which echoes some of the boundary walling nearby but this does not mitigate for its incongruous overall siting and appearance. Additionally, the curbed top of the fence is a fussy detail that stands out in views along Ropes Drive. Staining the fence may tone down its appearance in the street scene but this would not alleviate its prominent position or its jarring appearance when viewed against the nearby brick walls and soft landscaping.
7. In conclusion, the fence would harm the character and appearance of the area and this would be at odds with Policy DM21 of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document 2013, which seeks to ensure proposals are not of a poor visual design or seriously detract from the character of their surroundings.

Other Matters

8. It is understood that the fence replaced an area of landscaping which had become over grown and had been over hanging the pavement. However, the frontage landscaping immediately to the east of the appeal site is an indication that planting can be retained in a manageable form that contributes positively to the street scene. As such, the lack of management of the soft landscaping in the past does not justify the erection of a fence that detracts from the street scene. Litter may have collected in the previous hedge but I have not seen any evidence to suggest litter is a problem of sufficient magnitude to justify the erection of the proposed fence.
9. The appellant has suffered from ill health and this has resulted in a desire for a low maintenance garden. Nevertheless, I share the view of the Council that this could have been achieved without the erection of the proposed fence. As such, this is not a determinative matter that weighs in favour of the appeal scheme.
10. Substantive evidence has not been presented to suggest the fence attenuates noise to any significant degree or that noise levels from the road would be unacceptable without it. In this respect, it is notable that other similar properties function without a fence to attenuate road noise. Consequently, I am not satisfied the fence is necessary as a means of mitigating road noise.

Conclusion

11. The appeal scheme would be contrary to the development plan and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, for the reasons given above and having regard to all other matters raised, including the lack of an objection from Kesgrave Town Council and neighbours, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR