

Appeal Decision

Site visit made on 18 April 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 04 May 2017

Appeal Ref: APP/J0405/D/17/3169064

4 Evans Close Aylesbury, HP21 9YA.

- 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 Natalie Allen against the decision of Aylesbury Vale District Council.
 - The application Ref 16/03497/APP dated 21 September 2016, was refused by notice dated 23 November 2016.
 - The development proposed is to remove hedge on property boundary and replace with close-board fencing.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the scheme on the character of the street scene.

Reasons

3. The Appeal site is located within a modern housing estate that is characterised by detached two storey family houses with good sized, soft landscaped front gardens. Typically the boundaries which front onto the highway comprise a combination of grass verges and hedges. This, together with the grass verges within the highway and the abundance of soft planting and trees within the gardens contributes to the spacious and verdant character and appearance of the estate.
 4. It is noted that there are a few close boarded fences and walls evident within the front garden environment. Typically, they are set back from the street scene, well within the gardens concerned, or behind generous depth grass verges and/or hedges. As a consequence they have not had a materially adverse impact on the character and appearance of the street scene. Conversely, there are a few examples of fences/walls that are sited close to the back edge of the pavement, which are visually hard and urban. Rather than set a precedent they highlight how such boundary treatment can materially undermine and detract from the soft, verdant and open appearance of the estate.
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5. Together the National Planning Policy Framework (NPPF) and policy GP.35 of the Aylesbury Vale District Local plan 2004 (Local Plan) seek to ensure that new development adds to the quality of the area. Development should respect and compliment the physical characteristics of the site and its surroundings and the effect on important public views.
6. The Appeal property occupies a prominent position on the outside of a slight bend in the road and adjacent to the junction of Evans Close and Elham Way. The proposed close boarded fence, which has already been erected, abuts the back edge of the pavement and runs along the property's boundary between the front of the newly constructed side extension and the eastern end of its back garden. There is no room for any soft planting to the front of the fence and the highway verge along this part of the road is narrow.
7. As a consequence the proposed fence, which has already been erected, is highly prominent in the street scene in views along Elham Way. It is visually hard and has an urbanising impact on the street scene and the estate as a whole. Its urbanising impact is exacerbated by the fact that part of the fence is seen against the stark flank wall of the two storey side extension to the dwelling at 4 Evans Close. Conversely, from the photograph supplied, the former hedge along this boundary reinforced the soft verdant character and appearance of the street scene.
8. For these reasons the proposed fence unacceptably harms and undermines the soft verdant character and appearance of the street scene. This harm would outweigh the benefits for the Appellant and their family that would result from the retention of the fence. In addition, it is not a matter that could be satisfactorily dealt with by condition.
9. I conclude that the proposed fence materially and unacceptably harms the character of the street scene and conflicts with policy GP.35 of the Local Plan and the NPPF.

Elizabeth Lawrence

INSPECTOR